

STAFF HANDBOOK



UPDATED AND APPROVED BY THE EXECUTIVE TEAM AND THE BOARD OF TRUSTEES IN MAY 2025.

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THE PURPOSE OF THE HANDBOOK

This handbook provides you with a summary of the policies, benefits, and services of Westmont College. Each employee should read this handbook to learn the policies governing the workplace. Should you wish further explanation of these policies and procedures, your supervisor or the Human Resources office can provide assistance.

This handbook applies to all employees; some sections will apply only to specific employee groups, which are specified. In situations where the Faculty Handbook and the Employee Handbook address the same situation, the provisions of the Faculty Handbook will be applied to the faculty.

If you are unsure whether or not a particular section of the Employee Handbook applies to you, or you require clarification, ask your supervisor or contact the Human Resources office.

From time to time, Westmont may amend, delete, or supplement any of its policies or procedures. Where possible, reasonable notice will be given before any significant changes take effect.

In addition, it is understood that the provisions of this handbook cannot take into account all possible circumstances. As a result, the President may grant an exception to a policy when it is deemed to be necessary in light of exigencies or fairness, or to be in the best interest of the college. Care will be taken to consult others as appropriate, and to communicate the outcome to all affected parties.

This handbook supersedes any and all other oral, written, or implied provisions, descriptions or understandings of Westmont's policies, rules, procedures, and or benefits.

CHAPTER ONE: INTRODUCTION TO WESTMONT

1.1 Mission Statement

Westmont College is an undergraduate, residential, Christian, liberal arts community serving God's kingdom by cultivating thoughtful scholars, grateful servants and faithful leaders for global engagement with the academy, church and world.

1.2 Brief History of the College

The history of Westmont began in Los Angeles in 1937 with the establishment of the Bible Missionary Institute (later renamed the Western Bible College). In 1940 Ruth Kerr and the other founders realized that a liberal arts curriculum was the best direction for the school. The college was renamed Westmont, and Dr. Wallace Emerson, the first president, envisioned a Christian college that would rival the best colleges in the nation. In doing this, he set an important direction for the new college.

By 1944, Westmont had outgrown its facilities in Los Angeles. The search for a new campus led Mrs. Kerr and the trustees to the former Dwight Murphy estate in Montecito with its 125 acres and beautiful Mediterranean house. Westmont purchased this property and moved to the Santa Barbara area in 1945.

Set in the foothills of the Santa Ynez Mountains, Westmont's wooded and scenic acres provide a beautiful environment for a residential college. The campus includes buildings and land from two former estates and the historic Deane School for Boys. The grounds still feature the pathways, stone bridges, and garden atmosphere typical of Montecito, a lovely suburb of Santa Barbara.

While Westmont has sought to preserve and use the original structures, it has also built many new facilities. These include the Roger John Voskuyl Library, the Whittier Science Building, the Murchison Gymnasium complex, the Ruth Kerr Memorial Student Center, Ellen Porter Hall and five residence halls (Armington, Clark, Emerson, Page, and Van Kampen).

Since its inception in 1983, U.S. News and World Report's college ranking guide has consistently recognized Westmont as a top national liberal arts college, and since 2004 it has remained in the ranking's selective top tier. Today, Westmont is the No. 1 premier Christian college in California and the Western U.S.

1.3 Governance and Organizational Structure

The college president, Dr. Gayle Beebe, works with an Executive Team that supervises and manages the various college divisions. Members of the Executive Team are:

- Doug Jones, *Vice President for Finance*
- Kimberly Battle-Walters Denu, *Provost and Dean of the Faculty*
- Irene Neller, *VP for Enrollment, Marketing and Communication*
- Reed Sheard, *Vice President for Advancement & Chief Information Officer*
- Stu Cleek and Angela D'Amour, *Interim Vice President for Student Life*

1.4 What is Westmont?

Westmont is a liberal arts college, and classically so. Our single, overriding objective is to launch our students into a lifetime of flourishing, so that they might become the people God created them to be. We prepare our students for life — the whole of it — enabling them to follow God's call into any career, any avenue of service, that is suited to their gifts and abilities.

What do we hope for our students? Simply this: that they would follow Christ, becoming like Him in character and affections, loving God and neighbor with heart, mind, soul and strength, and responding to His call in their lives to be faithful stewards of all that God has given to them.

And what should distinguish a Westmont graduate? Loving to learn, they are people whose learning is inspired by their love of God. Learning to live, their practices and habits are shaped by what they have learned. Living to love, their love of God and neighbor is evident in how they live their lives. These are our aspirations for our students, and this is what we believe our fragmented world desperately needs.

Christ Preeminent in All Things. To understand Westmont is to understand its motto — Christ Preeminent in All Things. We affirm with the Apostle Paul that "He is the image of the invisible God, the firstborn over all creation. For by Him all things were created: Things in heaven and on earth, visible and invisible, whether thrones or powers or rulers or authorities; all things were created by Him and for Him. He is before all things, and in Him all things hold together." Therefore, we do not begin with our knowledge about ourselves, but the revelation of Christ, who is the foundation for all knowing, all understanding, all wisdom. As God's image bearers, we know in part. As fallen beings, we also know that we are easily deceived in our understanding. Reconciliation with God through Christ, therefore, is not only our future hope, but the ground in which our liberal learning must be rooted.

We believe that Jesus Christ — Creator, Sustainer, and Redeemer of all things — is present in all spheres of life, both to call us into relation with Himself and to challenge us to make Him Lord. We are persuaded that the Christian faith, revealed to us in the Scriptures and realized in us by the Holy Spirit, provides the most promising framework within which to pursue an education. At Westmont, we believe that we can invest ourselves fully in every undertaking, with the confidence that in so doing, we will encounter the person of

Christ. We will also come to understand more fully God's purposes in the world, and to honor His call upon us to participate in them.

1.5 Philosophy of Education

The mission of Westmont College is to provide a high quality undergraduate liberal arts program in a residential campus community that assists college men and women toward a balance of rigorous intellectual competence, healthy personal development, and strong Christian commitments.

Liberal Arts. As a liberal arts college, Westmont seeks to help its students become certain kinds of people, not mere repositories of information or mere possessors of professional skills. Where such information and competencies are acquired, it is to be done in an intellectual and social context that nourishes a larger spiritual vision and is integrated with it. Crucially, as a liberal arts college, Westmont seeks to help inculcate those skills that contribute to leading a successful and satisfying life. For just as one must be trained in the skills that enable one to engage in a trade, so one must be trained in those skills that enable one to engage in the distinctively human activities of reasoning, communicating, thoughtfully choosing one's moral and spiritual ends, building political, economic and spiritual communities, and entering into those "appreciative pleasures" that require knowledge, experience, and trained discrimination. Herein lies the relationship between liberal learning and life, for these are the very skills that translate into performing well one's role as citizen of the state, servant of the church, member of a family, worker or professional and participant in the cultural world.

Christian. Westmont College is committed to the universal truths of the Christian faith, to a high view of biblical authority and an orthodox doctrinal vision, and to the central importance of a personal relationship with God through Jesus Christ. It is this Christian faith that the college seeks to integrate fully into its life as a liberal arts institution. For the pursuit of a liberal arts education, with its emphasis on producing certain kinds of people and inculcating certain basic human skills essential for living a satisfactory life, cannot take place in isolation from one's most basic commitments and beliefs. For the Christian, then, this means bringing one's biblical and theological heritage to this educational enterprise. Indeed, to have basic values and commitments that one cannot explicitly and systematically bring to this task is to have an education that is severely truncated, severed, as it were, from one's most important beliefs and values. To isolate one's worldview in this way, while pursuing an education, will only result in a worldview uninformed by sustained intellectual reflection. Such an approach will yield persons who are not fully educated, indeed not educated at the core of their being. For the Christian, therefore, higher education must be Christian education, if it is to be education for the whole person. At Westmont, then, Christian faith is to inform the academic enterprise and the academic enterprise is to inform one's Christian faith and thus yield a Christian worldview that is biblically based and intellectually sound.

Undergraduate. Westmont is an undergraduate college and as such directs its attention, focuses its resources and devises its pedagogical strategies to facilitate the development of students who are beginning their post-secondary education. It follows that the primary emphasis at Westmont is on teaching. But teaching often involves helping students to acquire research skills and to become themselves producers of knowledge. This can be done effectively only as faculty model research skills for students, and mentor them in the acquisition of those skills. Moreover, to create a vital intellectual environment profitable for undergraduate students, Westmont must be an institution where knowledge is generated as well as transmitted. But producing such

knowledge is to be largely (though not exclusively) evaluated and appreciated in terms of the benefits that accrue, directly or indirectly, to those undergraduates who have come to Westmont to receive their education. For it is those students that the educational programs at Westmont are dedicated.

Residential. The educational programs of Westmont College are residential in character and reflect a commitment to facilitate and exploit the ways in which education occurs within community. Indeed, ever since the monastic tradition, learning has been cultivated and transmitted within residential communities, enabling learning to be promoted by the joys of shared exploration and the sustenance of spiritual kinship. Moreover, both the Christian and liberal arts traditions remind us of the integrity of human wholeness; we cannot be neatly compartmentalized into rational, spiritual and affective components. The residential character allows and encourages expression of this wholeness as we live, learn and worship together. Further, the residential character of the college reflects the conviction that the goal of all meaningful learning, and of biblical education in particular, is to inform the way we live. The residential character of the college invites students to apply their studies to the daily task of creating a community in which individuals can grow and mature together. Students are able to cultivate these patterns of adulthood and redemptive living in the presence of role models and mentors who can help them in this process.

Global. Westmont is to be a college with global concerns. For the earth and all its peoples are God's good creation. As such, they must be appropriately valued and respected. We are called in scripture to be stewards of the earth, to be faithful caretakers of the physical creation. We are also called to appreciate the rich diversity of human cultures — cultures shaped by people who bear the mark of God's image in creation. We are, then, to be a community informed and enriched by thoughtful and intentional study of and interaction with cultures other than our own. Ours is, however, a fallen world, and the earth, its peoples, and their institutions stand in need of the redemptive, reconciling word of the gospel. We are called, therefore, not only to appreciate and preserve the creation and human cultures, but also to participate in the work of the Kingdom in response to the Great Commission to make disciples of all nations — to bring all creation and human institutions under the Lordship of Christ. This task involves grappling with the full range of ways in which the fall has introduced blindness, disintegration, conflict, and injustice into the world. Finally, the emphasis on the global nature of education is a recognition that our world has increasingly become interconnected and interdependent. To prepare people to function intelligently, effectively and for the good in a world of global politics, global economics, and global communications must be one of the aims of a Westmont education.

Statement of Faith. Westmont College is a liberal arts college committed to Jesus Christ and belonging to the worldwide evangelical Protestant tradition. In that tradition, the college's trustees, administrators, and faculty participate in many different churches and with them confess such historic statements of the church as the Apostles' Creed and the Nicene Creed. In faithfulness to God, who is the source of truth, and under the authority of Scripture, we joyfully and humbly affirm the following articles of faith, which guide our learning, teaching, and living.

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Articles of Faith

We believe in God

- The Lord our God alone is God, holy and loving, revealing in creation and in Jesus Christ God's own power and glory, grace and mercy. The Lord our God alone is God, just and true, perfect in being and trustworthy in action.
- The Lord our God is infinite and beyond imagination; our minds can never fully know God nor our hearts completely grasp his ways. The Lord our God is faithful and steadfast, unfailing in word and deed.
- The Lord our God is Triune — one being in three persons — Father, Son, and Holy Spirit in co-equal, co-eternal communion. The Lord our God, Creator and Sustainer of all that is, redeems the world from its fallenness and consummates his saving work in a new heaven and a new earth.

. . . the Father, Son, and Holy Spirit

- God the Father is the source of all that is good. He is Father to his eternal Son, Jesus Christ, and to all who are adopted as his sons and daughters through faith in Jesus Christ. He has sovereignty over us, affection toward us, and glory for us.
- God the Son became incarnate in Jesus Christ — one person in two natures, fully human and fully divine — who was conceived by the Holy Spirit and born of the virgin Mary. In his life and in his death on the cross He conquered the powers of darkness, paid the penalty for our sin, and demonstrated God's love for the world. In His bodily resurrection His life and death are vindicated, and He is revealed to be the only judge and redeemer of the world. He intercedes for us now before the Father and will return in glory.
- God the Holy Spirit is Lord and Life-Giver, the one who empowered Jesus Christ and who empowers his people to continue God's work today. God the Holy Spirit convicts us of sin, brings us to faith in Jesus Christ, and conforms us to the image of Christ. The Spirit inspired the authors of Scripture and guides the church in faithful translation and interpretation. The Bible, consisting of the Old and New Testaments, is God-breathed and true, without error in all that it teaches; it is the supreme authority and only infallible guide for Christian faith and conduct — teaching, rebuking, and training us in righteousness.

. . . the Author of our salvation

- God created humankind for unbroken relationship with God, one another, and the rest of creation. Through Adam's disobedience, we fell into sin and now suffer alienation and brokenness. The effects of sin are so pervasive that apart from God's grace we are lost and dead. Only by God's grace through faith in Jesus Christ are we saved and made alive.

- In bringing us to faith in Jesus Christ, the Spirit incorporates us into the body of Christ, his church, the community of all believers in heaven and on earth. The church is called to bear witness to Christ among the nations by praising God, preaching the good news, discipling believers, healing the sick, serving the poor, setting free the oppressed, and caring for creation. The gifts and fruit of the Holy Spirit empower the church for this mission.
- Jesus Christ will return one day in his glorified body to judge the living and the dead. Those who do not believe in him will be raised to suffer forever a just punishment. Those who believe in him will be transformed, their bodies raised imperishable and incorruptible, to live and reign with him forever in a new heaven and a new earth in which there will be all that is good and true and beautiful, but no sorrow, no tears, and no evil thing.

And so we pray: Come, Lord Jesus.

CHAPTER TWO: GENERAL COLLEGE POLICIES

2.1 Community Life Statement with Behavioral Expectations

Living in Community

When Jesus Christ summed up the way His followers were to treat each other, He said, "Love one another as I have loved you," and "Love your neighbor as yourself." On a college campus, this kind of love must take into consideration the relationship between learning and community.

Affirming the qualities of this relationship is vital. As students, staff, and professors learn to live together, we recognize the dual manifestations of love in justice and mercy. We attempt to work out what it means to live justly and mercifully in common agreements such as this one. We understand that life in a college will give priority and honor to the wise development of the mind.

Given this focus, our social and intellectual growth needs freedom for exploration complemented by a commitment to good will and graciousness. Personal discipline is also required. For example, civility is basic to all types of community, while academic honesty and respect for education are fundamental to an instructional environment.

Learning depends on truth-centered attitudes. It thrives in an atmosphere of discriminating openness to ideas, a condition that is characterized by a measure of modesty toward one's own views, the desire to affirm the true, and the courage to examine the unfamiliar. As convictions are expressed, one enters into the "great conversation" of collegiate life, a task best approached with a willingness to confront and be confronted with sound thinking.

Community is built upon other-centered practices. It flourishes in a place where love for God and neighbor is cultivated and nurtured. It grows strong when members practice integrity, confession, and forgiveness, attempt to live in reconciled relationships, accept responsibility for their actions and words, and submit to biblical instructions for communal life.

Scripture supports these attitudes and principles. It promotes relationships based on the ideals of trust, compassion, and forbearance, and praises actions that manifest sacrificial giving and sincere faith. Scripture also forbids attitudes such as pride and jealousy, and prohibits such actions as drunkenness, sexual promiscuity, and dishonesty. In keeping with these standards, the Westmont community has agreed to certain guidelines in the Student, Staff, and Faculty Handbooks.

Desiring to implement the teachings of Christ, Westmont encourages true fellowship, in the whole body of Christ, including the local church, for when we love each other we imitate Christ's love for us. As we seek to follow God in truth, certain choices make for greater peace: a respect for others as they make decisions contrary

to ours, a readiness to listen carefully to those who represent situations or cultures unfamiliar to us, and a concern for how our preferences affect the lives of those around us.

We are committed to inquiry as well as pronouncement, rigorous study as well as kindred friendship, challenging teaching as well as reflective learning. Sometimes these tensions will lead to conflict. To live in unity, we must set ourselves to the practical task of discerning daily how to love well, how to inflesh the biblical call to justice and mercy. As we do so, our life together at Westmont will begin to resemble the community God has envisioned for us.

Behavioral Expectations

The Westmont community chooses, freely and willingly, to impose upon itself rules for behavior which serve both the long range interests of the institution and the immediate good of its individual members. While we do not view these expectations as an index to maturity in Christ, we do regard violations as a serious breach of integrity within the community because each member has voluntarily chosen to associate with it and to accept its standards.

Consistent with Scripture, the college establishes the following specific expectations for the trustees, administration, faculty, staff, and students of the Westmont community¹:

- The college does not condone practices that Scripture forbids. Such activities include but are not limited to occult practices, drunkenness, theft, profanity, dishonesty and sexual relations outside of marriage. Westmont further recognizes that Scripture condemns "sins of the spirit" such as covetousness, jealousy, pride, and lust. By their very nature, these sins are more difficult to discern. Because they lie at the heart of the relationship between the individual and God they are of central concern to the Westmont community.
- The college upholds integrity as a core value of the community. Members are expected to take responsibility for their own violations of all behavioral guidelines and demonstrate commitment to the value of integrity in word and deed.
- The college is committed to providing a learning and work environment free of harassment.

¹ Westmont will establish other rules and regulations necessary for orderly community life and will list them in appropriate handbooks. You will find information which further explains the specifics of the Behavioral Expectations above in the section of the Student Handbook on Westmont policies.

- The college expects our members who choose to marry to abide by the commitment to lifelong heterosexual marriage, and, whether single or married, to strive to maintain healthy family relationships.
- The college upholds the laws of the local community, the nation, and the state of California that prohibit the possession or use of illegal drugs or drug paraphernalia, against purchasing or consuming alcoholic beverages by persons under the age of 21, drunkenness, and driving under the influence of alcohol.
- The college recognizes that the use of tobacco products and alcoholic beverages presents a danger to personal health. It condemns their abuse, and raises questions about the use of tobacco and alcohol. Under no circumstances shall any member of the community use or possess these products on campus or when attending a college-related student activity.

Westmont requires all of its guests during their time on campus to act in ways that are consistent with Westmont's mission-based behavioral expectations for community life.

2.2 Commitment to Lifelong Marriage

Marriage has been understood by evangelical Christian people as a covenant relation which is not based merely on feelings of love but by the commitment of individuals to each other, using the analogy of God's commitment in love even to those who offend Him. The relationship of human marriage in Scripture is used to illustrate the relationship of God to His people and of Christ to His church. The Biblical expectation is permanence of the marriage covenant.

Westmont has consistently supported this position. We recognize that in our fallen world even Christians fail to meet the Biblical standard, and divorce and remarriage occur. Grace, forgiveness, and healing may take place but the divorce and remarriage when viewed in this context must not be taken lightly. To do this would trivialize the covenant of marriage and its implications for our understanding of God's relationship to us and ours to Him.

On the basis of these principles, the college will not knowingly hire individuals for faculty or key staff positions who do not support the Biblical position on marriage. An essential aspect of our responsibility in these positions is to provide a clear model of a deep commitment to Biblical standards in all areas of our lives.

In the case of employees in these categories whose marriages are terminated by divorce, the college will consider retaining these individuals only if it is clear that there was serious breach of the marriage covenant by such acts as desertion or unfaithfulness on the part of the spouse. If the evidence is not entirely satisfactory, the college reserves the right to terminate employment of the individual.

2.3 Policy on Resolving Conflicts

No matter how good our intentions may be toward another person, at times conflicts will arise. Often, workplace conflicts will be minor and will be worked out between the parties with or without intervention by

others, and without the need to present a formal complaint. Sometimes the nature of a conflict is more intense or complex, and may best be resolved with the help of others through a more formal process (e.g., a harassment complaint).

It is Westmont's desire that conflicts be resolved as quickly as possible and, where appropriate, with the least amount of formality. Matthew 18 illustrates this principle with its progressive means of dealing with unresolved conflicts between and among Christians. The process that follows seeks to provide appropriate ways for dealing with unresolved complaints about policies, practices, personnel actions and working conditions other than complaints about unlawful discrimination and harassment (*see section [2.4 Unlawful Discrimination, Unlawful Harassment, and Sexual Assault Policy](#), for the process used in these cases*). It is designed to encourage informal efforts at resolving complaints before a more formal approach is taken.

Several College officials are usually involved in one or more of the College complaint procedures listed above: Assistant Vice President of Human Resources, Associate Director of Human Resources, Provost, and the Vice President for Student Life. As a result, employees should feel free to contact any of these people to seek clarification or advice regarding any of Westmont's complaint procedures, or to submit a complaint to them.

Complaint Resolution Procedure (excluding harassment complaints)

Informal Steps

1. In most cases, employees should first attempt to resolve complaints by personally discussing the matter with the other party(ies) involved. Often, directly confronting the problem in this way is the simplest way to resolve conflicts and reconcile relationships.
2. If a complaint cannot be successfully resolved informally between the parties, the employee should then discuss the matter with his or her immediate supervisor, who may be helpful in mediating a resolution to the problem. (If the employee's complaint is with the immediate supervisor, then the employee should then discuss the matter with the supervisor of the immediate supervisor.)

Formal Steps

1. If the supervisor is unsuccessful in helping to resolve the problem, the employee (the "complainant") should submit a written summary of the complaint and any relevant documentation to Jason Tavarez

Executive Director for Institutional Resilience and Title IX Coordinator². He will then meet with appropriate College officials to determine how best to review and respond to the complaint. (Where a complaint is submitted about the denial of a request to accommodate an employee with a disability, the Vice President will consult the College's ADA/Section 504 Compliance Officer, Eileen McQuade, Associate Provost. The complainant will receive an initial written acknowledgement generally within five working days following receipt of the written complaint. This acknowledgement will outline the process for reviewing and responding to the complaint (including who will be involved in the process, the projected timeline, and who will respond in writing to the complainant)).

2. As soon as possible thereafter, the employee will receive a written response to his or her complaint. If the complaint is not resolved to the complainant's satisfaction, the employee may appeal to the President as the final level of review. This final appeal must be made in writing to the President, generally within (10) working days following receipt of the written response to his or her complaint and specify the reason(s) for the appeal.

At the time of the appeal, the President will make the final determination as to the process for reviewing and responding to the appeal (including who will be involved and the projected timeline for reviewing and responding to the appeal). If the President decides that verbal testimony will be heard during the final appeal, the proceedings will be informal. Consequently, legal counsel, rules of evidence, and other elements typically found in judicial proceedings will not be permitted at such hearings. If the President decides that others will be involved in reviewing the appeal, the(se) reviewer(s) will not have the authority to impose or retract sanctions of any kind, only to submit a written report to the President.

As soon as possible following receipt of any written report and recommendations from the(se) reviewer(s), the President will issue a final decision in writing to the complainant.

2.4 Unlawful Discrimination, Unlawful Harassment, and Sexual Assault Policy

Westmont College values diversity and is committed to providing a diverse learning, living, and working environment consistent with its mission and heritage, both of which are deeply rooted in the evangelical Christian faith tradition. In all of our actions, we seek to affirm every individual as created in the image of

² If the unresolved problem is with the Executive Director of Institutional Resilience and Title IX Coordinator, then the written complaint should be given to the President (who will then meet with appropriate College officials to determine how best to review and respond to the complaint).

God, worthy of dignity and respect. While the college lawfully exercises the right to seek and hire faculty and staff co-religionists at all levels of employment and hold members of its community to conduct standards that are consistent with its established faith-based tenets,³ the college will not tolerate unlawful discrimination or harassment in any of its programs, practices or policies; nor will it tolerate retaliation against any individual for making a complaint, for participating in the investigation of a complaint, or for otherwise opposing unlawful conduct as described in this policy and the procedures that follow.

Scope of Policy

This policy applies to all members of the campus community, independent contractors, applicants for employment and admission and guests to the college; and to all college programs, activities and events.

Duty To Investigate & Take Corrective Action

Westmont is committed to investigate promptly any complaints received under this policy. The college endeavors to resolve complaints made under this policy within 60 days from the date the complaint is received or a complaint recipient is otherwise made aware of alleged conduct covered under this policy. However, in some cases (e.g., complex facts; large number of witnesses; official break in the academic calendar, etc.), an extension of that time may be necessary. The Title IX Coordinator will ensure that both Complainant and Respondent are informed of the status of the complaint at regular intervals.

In the cases where the Respondent is a student, or a member of the staff or faculty, the determination of whether a policy violation has occurred, the imposition of any appropriate sanctions, and the implementation of any appeal process are handled in accordance with existing procedures outlined in the relevant handbook. In all other cases, the Title IX Coordinator, President, Provost and Dean of Faculty, and Vice President for Student Life will determine the appropriate investigation process, whether a policy violation has occurred, and any appropriate corrective action aimed at preventing any ongoing or subsequent policy violation. The college does not consider polygraph examination results in its investigations.

Where unlawful discrimination, unlawful harassment, or sexual assault is found to have occurred, the college will take appropriate action reasonably calculated to end the behavior, up to and including termination of employment, expulsion from the college, termination of contract, exclusion from admission or enrollment and employment and revocation of permission to be on college grounds or to participate in college events or

³ See Westmont's [Community Life Statement](#) for a description of how the college's faith-based tenets shape its vision for Living in Community and its Behavioral Expectations.

activities. The person responsible for coordinating efforts under this policy is Jason Tavarez, Executive Director of Institutional Resilience and Title IX Coordinator, Kerrwood Hall, Room 215, x6633.

Unlawful Discrimination

Unlawful discrimination (including unlawful harassment) occurs when individuals are disadvantaged and/or treated unfavorably in the terms and conditions of employment or in their academic status and/or progress based on a lawfully protected status. Westmont does not unlawfully discriminate on the basis of race, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, gender expression, national or ethnic origin, genetic information, age, religion, veteran's status, disability and religion.

Unlawful Harassment

Unlawful harassment (including sexual harassment) is a form of unlawful discrimination. It is offensive and unwelcome conduct based on a lawfully protected category that is so severe or pervasive that it creates a hostile work and learning environment. Any of the following conduct, when based on a lawfully protected status, constitutes **unlawful harassment**:

- **Verbal:** epithets, derogatory jokes, comments
- **Visual:** depictions such as drawings and pictures; gestures; email or text messages
- **Physical:** unwanted physical contact and blocking or impeding movement.

Sexual harassment includes the conduct previously described when the conduct is engaged in on the basis of sex. Sexual harassment also occurs when:

- Submission to the conduct is explicitly or implicitly made a term, condition or benefit of an individual's employment or education and/or progress in employment or education.
- Submission to, or rejection of the conduct is used as the basis of employment or educational decisions affecting an individual.
- The conduct has the purpose or effect of having a negative impact upon the individual's work or educational performance, or of creating an intimidating, hostile or offensive work or educational environment.

Mimicking an individual's mobility or speech impairment; using insulting, gender-based language to describe an individual's demeanor or style of dress; taunting an individual about their sexual orientation in a note left on an office or residence hall room door; or using derisive comments about someone's nationality in an email message are all examples of prohibited conduct.

A hostile environment occurs most often as a result of repeated instances of the types of behavior described above. However, a single instance of the described prohibited behaviors, where sufficiently severe, can amount to unlawful harassment.

Sexual Assault

Sexual assault also is a form of unlawful discrimination. Sexual assault covers a range of sexual contact and involves a determination of consent.

Sexual Assault (Category I) is defined as engaging in sexual intercourse with any person without that person's consent. Sexual intercourse is the penetration, however slight, of the vagina or anus with any object or body part and of the mouth with a sexual body part or sexual object. **Sexual Assault (Category II)** is defined as the act of making sexual contact with the intimate body part of another person without that person's consent. Intimate body parts include the sexual organs, the anus, the groin or buttocks of any person, or the breasts of a female.

Consent is defined as unambiguous and willing participation or cooperation in an act or as an attitude that is commonly understood to be consistent with the exercise of free will. Consent requires participants who are fully conscious, are equally free to act, have clearly communicated their willingness, cooperation, or permission to participate in a specific sexual activity, are positive and clear in their desires, and are able to cease ongoing consensual activity at any time. Refusal to consent does not have to be verbal; it can be expressed with gestures, body language or attitude. A prior sexual history between the complainant and respondent does not constitute consent. Consent is not freely given if a reasonable person in the position of the alleged perpetrator at the time the alleged conduct occurred should have known that the other person was unable to give consent for any of the following reasons:

- The individual is unable to make an informed decision as a result of alcohol or other drugs (including but not limited to predatory drugs or prescribed medications); or
- The individual is unconscious, asleep, or suffering from shock; or
- The individual is under the age of 18 and therefore legally unable to give consent; or
- The individual has a known mental disorder or developmental or physical disability and therefore legally unable to give consent.

Complaint Procedure

A complaint of unlawful discrimination, unlawful harassment, or sexual assault may be reported to any of the following complaint recipients: the Assistant Vice President of Human Resources or Associate Director of Human Resources, one's immediate supervisor, a department chair, a leader of an off-campus program, a

Resident Director, the college's Title IX Coordinator, any Dean or Vice President, or the President⁴. *(A list of the people currently occupying these positions can be found in the catalog or received from the Office of the President or the Office of Human Resources.)*

A complaint recipient will notify the college's Title IX Coordinator whenever a complaint of discrimination, harassment, or sexual assault has been received. The Title IX Coordinator shall ensure that the complainant promptly receives a copy of this Policy and is clearly informed of his or her rights to assistance. The Title IX Coordinator will work with the President, Provost and Dean of Faculty, and Vice President for Student Life to ensure that:

- A complaint of unlawful discrimination, unlawful harassment, or sexual assault is promptly, fully and effectively investigated;
- Any interim measures deemed appropriate to address the physical and emotional safety of the parties involved will be taken;
- A determination is made whether it is more likely than not that the alleged conduct occurred; and
- Whatever action is deemed necessary to end the unlawful conduct will be taken.

Confidentiality for both the complainant and the accused shall be encouraged and maintained as appropriate and to the extent allowed under the circumstances and by law.

The Title IX Coordinator will keep the complainant and respondent informed about the process of investigating the complaint. After action on a complaint is concluded, the respondent and complainant will be notified whether or not discipline will be imposed. The college will not tolerate any reprisal or retaliation against someone who has submitted (or indicated an intent to submit) a complaint in good faith. The college's process of investigating and resolving complaints covered under this policy can be, and is, different than the process used in a criminal or a civil proceeding. As a result, judicial rules of evidence are not applicable; the college does not accept the results of polygraph tests; the standard of proof in a criminal proceeding is higher than the preponderance of evidence standard employed at Westmont and other colleges and universities. However, the college's process and that of law enforcement or civil court proceedings are not mutually exclusive. Individuals may seek assistance from law enforcement and/or civil representation. Law enforcement

⁴ If the accused is the Title IX Coordinator, the Provost and Dean of Faculty, or the Vice President for Student Life, then the President will be notified and help determine an appropriate investigation strategy. If the accused is the President or a member of the Board of Trustees, then the Chair of the Board of Trustees will be notified and help determine an appropriate investigation strategy. If the accused is the Chair of the Board of Trustees, then the Vice Chair of the Board of Trustees will be notified and help determine an appropriate investigation strategy.

may take legal action based on information reported to it. In addition, the evidence gathered in a college investigation is discoverable in a civil or criminal action. Individuals with questions regarding the scope of the college's process should contact the college's Title IX Coordinator.

Rights Of Complainants and Respondents

All complainants and respondents share the following – the right to:

- Written notice of the allegations.
- A timely review of and determination regarding the complaint.
- Request class, work, or residence hall adjustments during the investigation and decision-making process.
- Provide witnesses and information pertinent to the case.
- Confront opposing information that is relevant and material.
- Not have irrelevant history (e.g., sexual history) considered by the decision maker (or discussed during a student hearing).
- Not provide incriminating evidence (though the college may draw negative inferences from a person's unwillingness to cooperate or participate in resolution of the complaint).
- An individual of their choice to attend all meetings with them to support them (rather than advocate for them) throughout the process.
- Have legal counsel present. (In no case may counsel speak or take an advocacy role during an investigation or hearing.)
- Confidentiality to the extent possible. (Any individual serving as a support person or as a legal adviser participating in the proceedings under this policy is obligated to maintain the confidentiality of the nature of the allegation(s), the content of the student conduct process, and the privacy of the complainant, respondent, and any witnesses. The college will remove any support person or adviser who fails to adhere to any of the expectations outlined for them in this policy.)

Additional rights for student complainants and respondents are included in the Sexual Assault Policy found in the Student Handbook.

Resources

Students are encouraged to take advantage as needed of campus resources — e.g., Health and Counseling Center (additional resources for students are included in the Sexual Assault Policy found in the Student Handbook). Likewise, faculty and staff are encouraged to take advantage as needed of Employee Assistance Program benefits (including counseling and legal services) and other off-campus resources.

External Complaint Options

Westmont encourages all members of the community to report any incidents of unlawful discrimination or harassment, or of sexual assault or retaliation **immediately** so that complaints can be addressed as soon as possible. In addition, any member of the community who believes that he or she has been harassed, sexually

assaulted, discriminated, or retaliated against for resisting or complaining about harassment or discrimination, may file a complaint with appropriate government agencies. Law enforcement agencies investigate claims of sexual assault and other alleged violations of criminal law. The U.S. Department of Education's Office of Civil Rights, the Federal Equal Employment Opportunity Commission, and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited discrimination and harassment; currently, the statute of limitations for filing a claim with these agencies is 180 days, 300 days, and one year, respectively.

Clarifying the Sanction and Appeal Processes for Staff

When a college investigation results in a finding that a staff member has violated the policy on unlawful discrimination, harassment, and sexual assault, the Title IX Coordinator will forward the finding to the Executive Team (excluding the President), which will determine the appropriate sanction. Either the complainant or the respondent may appeal a decision made regarding the findings or sanctions. However, appeals must be submitted in writing to the President no more than 10 days following the decision, and grounds for appeal are limited to the following circumstances:

- The sanctions are substantially disproportionate in light of the findings
- There was a procedural error that substantially impacted the outcome
- There is new information that if available during the investigation would have substantially impacted the outcome

Appeals cannot be merely conclusive statements but must articulate the facts and the rationale upon which the appeal is based.

2.5 Non-Discrimination Policy

Westmont College does not unlawfully discriminate on the basis of race, color, national origin, ancestry, sex, sexual orientation, gender, gender identity, gender expression, age, genetic information, medical condition, religion, marital status, military status, veteran status, or mental or physical disability in its employment practices, except where physical fitness is a valid occupational qualification. As allowed by federal and state law, Westmont chooses to exercise religious preference in all areas that it deems appropriate for its mission.

The college will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship for the college would result.

Any applicant who requires an accommodation in order to perform the essential functions of the job should contact the Human Resources office and request such an accommodation. Any employee who requires an accommodation should contact his or her immediate supervisor. The individual with the disability should specify what accommodation he or she needs to perform the job. The college will then engage in a good-faith interactive process with the employee or applicant to determine what, if any, effective accommodations can be made for the employee or applicant. The college will conduct an investigation to identify the barriers that

make it difficult for the applicant or employee to have an equal opportunity to perform his or her job. The college will identify possible accommodations, if any, which will help eliminate the limitation. If the accommodation is reasonable and will not impose an undue hardship, the college will make the accommodation.

Any employee who feels subjected to illegal discrimination, or becomes aware of an actual or potential illegal discrimination, should refer to the complaint resolution procedure outlined in the employee and faculty handbooks of the college. (See section [2.3 Policy on Resolving Conflicts](#); and section [2.4, Unlawful Discrimination, Unlawful Harassment, and Sexual Assault](#).)

It is Westmont's policy to recruit, hire, and promote in all job classifications on the basis of merit, qualifications, and competence, potential, and institutional fit. All employees must be supportive of the college's Christian mission, Statement of Faith, and Community Life Statement.

2.6 Diversity Matters

Christ holds first place in the educational mission of our college both as an academic institution and as a residential community. The specific expectations of college members in response to Christ's preeminence are enumerated in the [Community Life Statement](#). "Diversity Matters at Westmont" describes how we live out these expectations as we strive to love one another as Christ has first loved us.

Long-Range Goals

As an academic institution, our desire to honor Christ informs our [Philosophy of Education](#), our intended learning outcomes for students, and our expectations for our graduates. One of the central goals of Westmont's educational program is that:

Students have the understanding and skills to engage people unlike themselves — both individuals and groups — in ways that affirm others as persons created in God's image. Students are able to approach others respectfully — avoiding the natural tendency to deal with differences by vilifying, romanticizing, or victimizing.

Similarly, as a residential college, we aspire to the vision of our [Community Life Statement](#), which reminds us that:

Community is built upon other-centered practices. It flourishes in a place where love for God and neighbor is cultivated and nurtured. It grows strong when members practice integrity, confession, and forgiveness, attempt to live in reconciled relationships, accept responsibility for their actions and words, and submit to biblical instructions for communal life.

Our long-range goals — both inside and outside the classroom — are to celebrate God's creativity in shaping us and to live in reconciled relationships with one another. But our long-range goals must also be reflected in our daily walk. For Jesus, the kingdom of God was not just a long-range goal. He broke through the prejudices of His day, showing that everyone — not just the privileged few — is welcome in God's kingdom, here and now.

In the time and place where Jesus lived, people despised anyone who came from Samaria, and rabbis would not speak to a woman in public. But Jesus overturned these prejudices, publicly asking a Samaritan woman for a drink of water and starting a conversation with her. His disciples were astonished, but they were just beginning to see the radical respect that Christ's followers are to show others. As we cross paths with each other in classrooms and residence halls, in offices and meetings, at chapel and in the dining commons, our desire to hold Christ preeminent in all things also shapes our manner of engaging one another in everyday encounters.

Goals for Everyday Encounters

Jesus gave us "a new commandment, that you love one another." As we abide by that commandment, we learn to honor and respect one another in the ways that Scripture teaches. Therefore, in our daily interactions as we try to live out what it means to be part of the kingdom of God, we seek to:

- engage in discussion openly, demonstrating humility toward our own perspectives, and respectfully examining views that are unfamiliar;
- affirm every person as created in God's image and reject stereotypical notions that demean, mock, or oversimplify;
- honor what is distinct in each other's experience as well as what we share in common;
- make choices that convey respect for our neighbors' experiences; and
- acknowledge the significance of context and its influence on our words and actions.

We are all alike in our need for Christ. But in our fallenness it is all too easy to mistake "we are alike in our need for Christ" for "everybody else is just like me." Unity in the midst of deep and valuable difference was one of the most difficult issues for the early church; we shouldn't suppose it's going to be easy for us.

First-century Jewish followers of Christ could not accept that Gentiles could follow Christ without becoming Jewish. But as God revealed to Peter, they were confusing their personal cultural experience with what is normative. In the same way, we may be tempted to suppose that for others to be Christians, they must be Christians just like us. But the family of God includes brothers and sisters from all sorts of backgrounds, and most of us are barely beginning to learn about those with whom we will spend eternity.

Jesus came to redeem us, but He also came to renew us, in our minds as well as our hearts. That means, in part, becoming open to one another's experience and honestly sharing our own, working through our differences rather than just pretending that no conflicts exist.

Discipleship and Discipline

Even as we aspire to live out such goals in all our interactions, we recognize that sometimes we are not as wise, as caring, as respectful as we wish to be. However, some behavior falls so far short of these goals that it will simply not be tolerated.

- Vandalism and violence. Subjecting others to physical violence, threatening others with physical violence, or engaging in acts of vandalism are unacceptable (and illegal!) ways to deal with conflict.

But such acts become even more repugnant when they are based on race, church tradition, ethnicity, gender, sexual orientation, or disability. Westmont does not tolerate vandalism, violence, or the threat of violence against anyone.

- Words and images. Calling people names is an immature way of responding to conflict. However, using racial, ethnic, or gender slurs, or displaying demeaning images, crosses the line into conduct that is intolerable.

While physical attacks and vandalism are rare on college campuses, demeaning jokes or harassing or threatening phone calls or emails are not. Regretfully, members of the Westmont community have at times been subjected to crude or demeaning phone calls, email messages, and posters. Sometimes those who convey such messages think it is OK if they are "trying to be funny." It's not funny. It can be, and often is, hurtful to those subjected to the humor. And it's not OK. Humorous intent does not excuse repeating demeaning stereotypes. Such behavior hurts every member of a community called by the name of Christ. Westmont does not tolerate slurs based on race, church tradition, ethnicity, gender, sexual orientation, or disability; other forms of verbal abuse; threatening behavior or threatening messages; the creation of a hostile environment; or any form of harassment. For more information, see the college's [Policies Addressing Bias and Harassment](#).

Jesus astounded His disciples in the way He overturned the prejudices of His day based on ethnicity, national origin, religious differences, and gender. He treated the poor with at least as much respect as He treated the wealthy and powerful. As He cut through bias and prejudice, He left His disciples to ponder the many ways in which they would have to rethink some of their ingrained expectations in order to follow Him. After Peter had twice been told in a vision "what God has made clean, you must not call unclean," he spent some while "puzzled about what to make of the vision" before realizing he had to disobey the law saying that Jews were not to associate with or visit a Gentile. Jesus had treated the woman from Samaria with respect. But even after the resurrection, Peter had not realized that he, too, had to treat people of different races, ethnicities, religious traditions and nationalities with equal respect.

Confrontation and Respect

The respect Jesus showed others not only reached across His culture's ethnic and gender barriers, it reached even to those He had to confront. When Jesus encountered a person who was sinning, He did not mock or jeer or taunt the sinner. He told the woman taken in adultery to go and sin no more, but those He really confronted that day were the men intent on stoning her. In our culture, no one stones adulterers, but some feel that it's OK to cast stones of mockery at people who experience same-sex attraction. At Westmont we do not condone sexual relations outside of marriage, but we also do not condone jeering at one another simply because our temptations differ. We know our own sinfulness and need for forgiveness all too well to cast stones of mockery at others.

What can I do to make a difference?

- Be willing to learn. As a member of this residential, liberal arts community, take advantage of the opportunity to learn from engaging with others unlike you.

- Be willing to teach. It takes courage and humility to talk about your own experience and the new ideas you're learning without making it sound like your way is the only way. But you can't expect others to know what it's like to walk in your shoes unless you're willing to teach them.
- Recognize that the image of God doesn't look like you alone. God's children come from different races, different ethnicities, different genders, different social classes, and church traditions. Look for God's image in people who don't look, think, or experience life the same way you do.
- Look for the family resemblance. Your cousins are different from you in important ways; but there is much that you share. So it is with the family of God.
- Examine your own language. Ask yourself if you use derogatory or degrading terms in describing others.
- Speak out against jokes or comments that demean others. Silence implies consent; when we don't speak out against injustice, we share some of the blame.
- Check in with your neighbor. Remarks that strike some as just a joke may not feel like that to others. Have the courage to ask about it, and have the courage to answer honestly. If you want to develop real friendships, you can't pretend that hurtful remarks don't hurt.

Taking Action Against Disrespect

Sometimes, statements are meant to be hurtful. Recognizing such remarks as demeaning is pretty obvious. At other times, the hurt can be unintended but still very real. When we bump into someone, we apologize even though we didn't intend any harm. Similarly, when our words hurt others, we need to own up to what we've done, even when we didn't mean to cause harm. And when we've been injured, we need to acknowledge it — to ourselves and to others.

As Christians, we know what it means to repent and seek forgiveness. Every time we pray the Lord's Prayer, we ask God to "forgive us our sins, as we forgive those who sin against us." With all that practice, we should certainly know what to do when our actions hurt or offend others: repent and humbly ask forgiveness. (And that means much more than a perfunctory apology; it means a change of behavior.) As we learn by God's grace to take redemptive action on our own, reconciliation may take place without college officials being involved. In accordance with scripture, we desire that conflicts be resolved as quickly as possible and, where appropriate, with the least amount of formality. Jesus tells us to confront a sinning brother or sister one-on-one before calling in one or two others or taking the matter to the church. The college tries to honor that principle in its policies for resolving conflicts or grievances of students, staff and faculty. But sometimes we're slow to learn what it means to be God's people; when redemptive intervention is needed, college officials will intervene.

What can you do if you have received or have witnessed demeaning, threatening, or abusive messages?

- If you are a student, please report incidents directly to Student Life by speaking to your resident director or by calling the dean of students (805-565-6028). Residence hall staff are trained to take threats or expressions of hostility seriously and to provide peer support for those who have encountered bias-motivated incidents.

- If you are a faculty or staff member, please report incidents to the Provost's Office or the Human Resources Office, respectively.
- If you feel unsafe, call Public Safety (805-565-6222).
- Preserve any evidence (graffiti, voice-mail message, e-mail message, letter, etc.).
- If you believe you have been subjected to harassment or discrimination based on race, ethnicity, gender, religion, sexual orientation, or physical or mental disability, you may report the behavior to any Resident Director; to the Vice President for Student Life in the Office of Student Life; to the Assistant Vice President of Human Resources; to the college's Title IX Coordinator; to any supervisor, department chair, dean or vice president; or to the President. Anyone violating Westmont's Policies Addressing Bias and Harassment may be referred for appropriate disciplinary action up to and including dismissal.

What will Westmont College do in such cases?

An appropriate college official will:

- meet with you promptly.
- treat you and your concern with respect and sensitivity.
- take every case seriously, pursuing disciplinary action up to and including dismissal.
- seek justice, richer understanding, and ultimately restoration of all involved.

Community members who have harassed, intimidated or demeaned others in public cannot expect their disciplinary action to be wholly private. Public misbehavior may involve sanctions, restitution, and apologies that are also public.

2.7 Relationships with Students

The college discourages staff members from engaging in a romantic relationship with any current student to whom he or she is not married. Such relationships may expose the staff member to charges of misconduct and create a potential liability, both for the staff member as well as for the College. In no circumstances should a staff member be romantically involved with an individual over whom they have a supervisory responsibility. In addition, staff members in the following departments are expressly prohibited from romantic relationships with students due to the nature of their role: Campus Safety and all departments within the Student Life division.

2.8 Safe and Drug Free Campus

Consistent with the Safe and Drug Free Schools and Communities Act, Westmont has adopted and implemented policies that are intended to prevent the unlawful possession, use, or manufacture of illegal drugs and the abuse of prescription drugs by students and employees. College policy prohibits:

- The use or presence of all non-prescribed controlled substances and any related paraphernalia on campus or when attending a college-related student activity.
- Employees from exceeding the dosage of physician-prescribed medications. Substance abuse affects the family and the community, and subjects the user to a range of college related sanctions, state, federal and local penalties, and significant health associated risks.
- The use or presence of alcoholic beverages on campus or when attending a college-related student activity.

The Dangers of Drug Abuse in the Workplace

The illicit use of controlled substances and the abuse of alcohol and legal drugs can result in serious injury to the drug user and others, and can result in severe damage to property. The abuse of drugs and alcohol has been proven to impair the coordination, reaction time, emotional stability, and judgment of the user. This could have tragic consequences where demanding or stressful work situations call for quick and sound decisions. Serious injury or fatality of the drug abuser, other employees, or our students could result from the actions (or lack thereof) of an employee under the influence of drugs or alcohol. In addition, the risk of many harmful health conditions associated with the use and abuse of alcohol and drugs are significant and include but are not limited to:

- | | |
|---------------------------|--|
| • Depression | • Cirrhosis of the Liver |
| • Anxiety | • Bronchitis, Respiratory, and Cardiac Failure |
| • Neurological Impairment | • Cancer |
| • Kidney Failure | • Death |

Local, State, and Federal Sanctions for Alcohol and Drug violations

Some local, state, and federal laws establish severe penalties for the unlawful possession or distribution of illicit drugs and alcohol. These sanctions, upon conviction, range from a fine and probation to lengthy imprisonment. The following websites and examples provide more information regarding state and federal codes related to drugs and alcohol. Every law related to the unlawful possession, use, manufacture, sale, or furnishing of alcohol and other drugs does not appear here. Members of the Westmont community are responsible for abiding by all applicable laws.

- California Codes: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>
- Federal Code: <http://www.fda.gov/regulatoryinformation/legislation/ucm148726.htm>
Title 21, Chapter 13 Lists Laws Pertaining to Possession of Controlled Substances and Illegal Trafficking

Alcohol

In the state of California, anyone under the age of 21 shall not purchase, consume, or possess alcoholic beverages. In addition, it is against California law to sell or furnish alcoholic beverages to anyone under 21

years of age. Anyone who sells, provides, gives or causes to be sold an alcoholic beverage to any person under the age of 21 is guilty of a misdemeanor punishable by a fine of \$250 and/or no more than 32 hours of community service for the first offense with increased penalties for additional violations.

Anyone under the age of 21 who purchases alcoholic beverages or consumes alcoholic beverages is guilty of a misdemeanor punishable by a fine of \$250 and/or no more than 32 hours of community service for the first offense with increased penalties for additional violations. Westmont prohibits the use or presence of alcoholic beverages on campus or when attending a college-related student activity.

Drugs

Opiates, Stimulants & Anabolic Steroids

Under federal and state law, the unlawful sale, transport, manufacture, furnishing, or possession of certain opiate and stimulant drugs, such as Adderall, Ritalin, Xanax, Oxycodone, and Steroids, is a felony subject to penalty of state imprisonment, fine, and/or forfeiture of property. Further, the law provides for sentencing enhancement that will increase the severity of penalties for certain offenses.

Marijuana

Notwithstanding state law, marijuana remains a schedule I drug under the Federal Controlled Substance Act. Possession, cultivation, sale, distribution, and/or consumption remain illegal under federal law and a violation of college policy, subjecting individuals to the full range of disciplinary sanctions. References to state law limitations on possession are for informational purposes only. For information on other limitations and penalties for exceeding the same, consult California Health and Safety and Penal codes.

Possession or use of marijuana is strictly prohibited on campus.

Treatment Programs

The Student Counseling and Psychological Services (CAPS) may be able to provide confidential assistance and/or referrals to local agencies and/or self-help groups such as Alcoholics Anonymous, Al-Anon, and Cocaine Anonymous. Any employee with a drug or alcohol problem may also be referred to an outside counseling or treatment service. Employees covered under the college's medical insurance may seek treatment through the Substance Abuse benefits included in both the HMO and PPO plans. Those employees eligible for the college's Employee Assistance Program (EAP) may also choose to obtain confidential counseling or information about treatment services via the EAP. Visit the [Benefits page](#) for more information.

Disciplinary Action

Violation of college policy with respect to drug use or possession is a serious breach of our behavioral standards. It is the goal of the college, whenever possible, to assist in the successful rehabilitation of faculty and staff who violate this policy. However, the activities specified in the Safe and Drug Free Schools and

Communities Act are and always have been considered serious violations of the college's behavioral standards as stated in our Community Life Statement. Therefore, employees found to be in violation of the activities specified in this policy will be subject to college disciplinary action up to the possibility of termination of employment in addition to legal penalties under federal, state, and local law.

Employment Conditions

Employees are required to notify the Human Resources office within five (5) working days if they are legally convicted of a drug or alcohol violation that occurred while at work.

2.9 Smoke-Free Work Environment

Westmont recognizes that the use of tobacco products presents a danger to personal health. No member of the community may use such products on campus, whether inside or outside the buildings.

2.10 Responsible Use of Information Technology

All computer hardware, software, and data are the property of Westmont College and must not be tampered with, degraded, or destroyed. All employees agree to abide by the resource use policy found at <https://www.westmont.edu/information-technology/resource-use-policy>. Computer or software problems should be reported by email to support@westmont.edu. We abide by the guidelines for installing software found in "A Guide to the Ethical and Legal Use of Software for Members of the Academic Community," published by EDUCAUSE (<https://www.educause.edu/ir/library/html/code.html>).

Employees may have access to sensitive student, employee, academic, or donor information. Care must be taken to not allow unauthorized access to this information by using suitable secure storage location and techniques. Employees are issued individual user accounts and must set suitable passwords and multifactor authentication to keep them secure. User account credentials may not be shared with multiple people unless specifically authorized by Westmont Cyber Security Committee.

The college is deeply committed to the principle of treating all people with profound respect. Thus, fraudulent harassing, pornographic or obscene materials, whether written, oral, or visual, are expressly forbidden on any portion of the network or stored on any college-owned computer. This includes but is not limited to material obtained from the Internet and viewed on non-college-owned computers via the college network.

We live in an environment filled with attacks by malicious actors who have caused great harm to many institutions through extortion, ransomware, or deletion or exfiltration of sensitive data. In order to develop resistance to these social engineering attacks, all employees are required to complete yearly cybersecurity awareness training, and will be tested by simulated attacks sent on a weekly basis. Upon failing a simulated attack test, the employee must undergo a short remedial training course to heighten their awareness.

2.11 Privacy Rights

Your right to privacy is respected as a member of the Westmont community and is protected by applicable laws. The expectation of privacy, however, does not apply to every aspect of our workplace. This policy indicates when and where you should not have the expectation of privacy.

Desks, storage areas, work areas, cabinets, credenzas, lockers, and other workplace furniture and equipment, including business telephones, computers, and their peripherals, modems, facsimile machines, duplicating machines and Westmont vehicles, are Westmont's property. It is expected that employees will use all equipment for work-related purposes. Therefore, the college reserves the right, at all times, and without prior notice, to inspect and search any and all college property for the purpose of determining whether this policy or any other college policy has been violated, or whether such inspection and investigation is necessary to promote safety in the workplace or to comply with state and federal laws. Such inspection may be conducted during or after business hours and in the presence or absence of the employee.

You will find additional information about privacy rights in regard to electronic property, such as e-mail, voice-mail, computer files, and use of the Internet and World Wide Web, contained in "Responsible Use of Information Technology" (Employee Handbook section 2.10.).

College faculty and staff also are required to protect the privacy rights of students by complying with the requirements of FERPA (the Family Educational Rights and Privacy Act of 1974). The Registrar's webpage on "Confidentiality of Student Records" summarizes these requirements.

2.12 Solicitations

Fundraising campaigns for the development of the college and United Way are conducted periodically.

However, in soliciting support for other organizations or in seeking to purchase or sell goods and services, work relationships should not be used to influence a colleague's decision. Such solicitations by phone, email, face-to-face, or by a supervisor, are not allowed in the workplace because they can be a distraction to effective work performance and could place unreasonable pressure on co-workers.

To alert colleagues to the needs of organizations other than Westmont or the United Way, or to post information regarding the sale or purchase of goods and services, faculty and staff may post announcements on break room bulletin boards. Faculty and staff also may request Executive Team approval for more visible means of soliciting support for other non-profit organizations.

The college also has a community classifieds. Faculty and staff can email pictures, price, or any other relevant details to classifieds@westmont.edu. Faculty and staff can receive the classifieds by sending an email to classifieds@westmont.edu to subscribe.

2.13 Patent/Copyright Policy

Where College resources are used, the College retains ownership of all faculty, staff, and student inventions, and other intellectual property that may be patented, copyrighted, trademarked, or licensed for commercial purposes.

2.14 Westmont Brand and Use of Institutional Letterhead, Trademarks, and Tradenames

The Westmont brand is one of our most important assets. It symbolizes our core: rigorous academics and a deep love of God. At Westmont College, we have a unique and extraordinary position and standing in higher education. We have a compelling story to tell because of our interactive and immersive educational experience. We want our campus community and the general public to view us as we see ourselves: purpose-driven innovators, visionaries, and servant leaders. A strong brand identity represents who we are in our goal to transform lives.

Our graphic design language sets the tone for how our internal and external constituents initially view and experience Westmont College, and how they recognize us after that first impression. It consists of visual collateral, videos and photos, graphic elements, and color. More significantly, it's the culmination of how all these branding efforts work together to strengthen our overall experience of who we are.

Guidelines

Events

- **Events and Communication Planning:** The Enrollment, Marketing, and Communications (EMC) department aims to coordinate and curate the Westmont story effectively. Your events and community updates are a key part of that story and we want to help you be successful. Thanks for partnering with us for your event and communication plans.
- **External and Internal Audiences:** As we think about events and communications, our first major consideration is whether they are for an external audience or an internal audience. Further, for external events, we consider whether this event or communication effort will be useful in the recruitment of new students. External recruitment communications and events tend to take priority for the limited resources available.
- **Planning Your Event:** To curate and coordinate Westmont's story effectively, EMC developed a Curation Process for events. This process should be followed for every event (except student life and athletic events). First, let EMC know about the event you want to host. Staff in EMC will look at the timing of this event and compare it to the master calendar. In that process, let us know what level of support you're hoping for. We use Gold, Silver, and Bronze to indicate how much support your event may require. All requested events on campus are reviewed by the E-Team through this process on a weekly basis. Once your event is approved, you can plan your event with the tools found on the my.westmont.edu portal.

Email and Voicemail Policies

We all rely heavily on digital messaging and phone calls for internal and external communication. Print, digital, and online information about Westmont should uniformly depict the college's brand and help to reduce employee security breaches. We need to provide an authentic Westmont identity when interacting with each other and the public. If you need assistance with your email signature and/or voicemail, please reach out to EMC for assistance or you can submit a ticket at [wrike request form](#).

- **Email:** EMC has developed options employees can use for their work-related emails, and we urge you to adopt them **as soon as you gain access to your westmont.edu email**. The email signatures will better identify emails as coming from Westmont and will make these communications more professional. There is also a confidentiality statement available for your consideration and legal protection if needed. Instructions to help employees make this change to their email communications can be found on the brand page on the Westmont portal. We will gladly assist anyone who would like some help.
- **Voicemail:** EMC drafted a standard script for employees to use on their work-related phones. This will better identify employees with the college and will make these messages more professional and authentic. We encourage everyone to record these standard messages as soon as they have access to their desk phones. You'll find these standard voicemail messages linked on the brand page of the Westmont portal.

Marketing Collateral and Communications

All promotions of programs, events, or other Westmont sponsored productions should be shared with EMC to assist in creating Westmont branded and cohesive messaging. Whether through printed products, email communications, website edits, video, digital media, or photography needs, every request should be sent to the Wrike project management system so that EMC can complete your project in a timely and efficient manner. You can find the Wrike request form on the brand page or on the event communications page in the Westmont portal.

Resources

The [Westmont portal](#) has two important pages related to Westmont Brand and Event Communications. We highly recommend that you add these pages to your "favorites" in the portal, so that they are easily accessible to you for future use!

The [Westmont Brand page](#) has the following resources linked for your convenience:

- The official Westmont Brand Guidelines
- All Westmont logos and fonts
- Branded Keynote and PowerPoint templates with photos of campus already included
- Information on Westmont's brand colors
- Official Communication, Social Media accounts, and News guidelines

- Email and Voicemail Policies
- Link to the Wrike Project Request form
- Athletics Branding information
- List of the EMC staff

The [Westmont Event and Communication Support page](#) has the following resources linked for your convenience:

- Step by step instructions for submitting your event to be posted on the internal (portal) and/or external (westmont.edu) calendars
- Information and steps about sending email community announcements
- Links to EMS, Conference Services planning site to reserve rooms and furniture on campus
- Links to Catertrax, Bon Appetit's catering order site
- Links to Support Tickets, IT's request form for all event services and other IT needs
- Link to the Wrike Project Request form

The logo, letterhead, and other insignia of the College are approved by the President. College insignia or other identifying symbols should be used only for official business on behalf of the College. Private use of College symbols and stationery that might imply institutional endorsement of a faculty or staff member's activities must first receive the approval of the appropriate Executive Team member.

2.15 Political Activity

As an academic institution, Westmont College maintains a non-partisan position and ensures the freedom of faculty and staff as citizens to engage in political speech and activities so far as they are able to do so consistent with their obligations as college employees. However, when speaking or acting as private citizens, faculty and staff must avoid creating the impression they are doing so for the college.

2.16 Community Service

Westmont College seeks to be a good neighbor and to have a positive impact on the quality of life in the local area. Likewise, the college is grateful for employees who volunteer their time outside of work hours in support of local causes that interest them.

Occasionally, Westmont will solicit volunteers to represent the college in serving the community. In other circumstances, though, the employee serves as an individual rather than as a Westmont volunteer unless the service is requested by the institution or approved by the President or a member of the Executive Team.

2.17 HIPAA

The Health Insurance Portability and Accountability Act (HIPAA) and its privacy regulations require health plans and health care providers to establish and follow policies and practices designed to safeguard the confidentiality of your protected health information and to protect against unauthorized access. These requirements apply to Westmont College in its role as sponsor and administrator of the Healthcare Flexible Spending Account (part of the Westmont College Cafeteria Plan). This policy describes the College's privacy practices and procedures to comply with HIPAA. We are required by law to follow the terms of this policy.

By law, Westmont College is required to maintain the privacy of your and your dependents' Protected Health Information (PHI), and not to use or disclose PHI without your written authorization, except as permitted under HIPAA. PHI is individually identifiable information that we create or receive relating to your or your dependents' physical or mental health or condition, treatment of your health condition or payment for treatment. This policy applies to PHI that exists in any form, including electronic form.

The College will allow employees of the Human Resources Office to have access to PHI. These specified employees shall only have access to and use PHI to perform the Plan administration functions that the College performs for the Plan. "Plan administration functions" means administrative functions such as claims processing, quality assurance, auditing, and monitoring. In the event that any of these specified employees does not comply with the provisions of this policy, that employee shall be subject to disciplinary action pursuant to the College's employee discipline and termination procedures.

The College will ensure that the companies that help us administer the Healthcare Flexible Spending Account are required to comply with these same restrictions that apply to the College and its employees with respect to PHI.

The College may not use or disclose your PHI for employment-related actions or in connection with any other employee benefit plan. We will not disclose your PHI to any other company for their use in marketing their products to you. However, as described below, we may use or disclose your PHI under certain circumstances without your permission, in the following circumstances.

- **For Treatment.** We may use or disclose your PHI to facilitate health care treatment by providers (including doctors, nurses, and technicians) who are involved in taking care of you or a dependent.
- **For Payment.** We may use or disclose your PHI to determine your eligibility for Plan benefits, to facilitate payment for the treatment and services you receive from health care providers, or to coordinate Plan coverage.
- **For Health Care Operations.** We may also use and disclose PHI for Plan operations, such as conducting quality assessment and improvement activities and other activities related to Plan coverage and general Plan administrative activities.
- **To a Business Associate.** We contract with outside service providers, called "business associates," to help us administer the Plan. The College will require its business associates, by contract, to appropriately safeguard PHI.
- **Where Required by Law.**

- **To Avert a Serious Threat to Your or the Public's Health or Safety.**
- **To the Plan Sponsor.** For the purpose of administering the Plan, we may disclose PHI to certain employees of the College in the Human Resources Office. Those employees will only use or disclose that information as necessary to perform Plan administration functions or as otherwise required by HIPAA, unless you have authorized further disclosures.

In addition to the above, the following categories describe special situations in which we may use or disclose your PHI:

- **Public Health Risks.** We may use or disclose your PHI for public health actions, for example, to prevent or control disease or injury.
- **Coroners, Medical Examiners, and Funeral Directors.** We may release PHI to a coroner or medical examiner where necessary, for example, to identify a deceased person to determine the cause of death.
- **Organ and Tissue Donation.** If you are an organ donor, we may release PHI to an organ donation bank as necessary to facilitate donation and transplantation.
- **Military and Veterans.** We may release health information about members of the armed forces or individuals separated/discharged from military services, as required by military command authorities or the Department of Veterans Affairs.
- **Law Enforcement.** We may disclose your PHI if asked to do so by a law enforcement official: in response to a court order, subpoena, warrant, summons, or similar process, to identify or locate a suspect, fugitive, material witness, or missing person, about the victim of a crime if under certain limited circumstances we are unable to obtain the victim's agreement, about a death that we believe may be the result of criminal conduct and about criminal conduct.
- **When Required as Part of a Regulatory or Legal Proceeding.** If you are involved in a lawsuit or a dispute, we may disclose your protected health information in response to a court or administrative order, discovery request, subpoena, or other lawful process, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.
- **Workers Compensation.** We may release health information about you for workers compensation programs.
- **Oversight of the Health Care System.**
- **Government Audits.** We are required to disclose your PHI to the Secretary of the United States Department of Health and Human Services when the Secretary is investigating or determining our compliance with the HIPAA privacy rule.
- **Other Uses of PHI.** Other uses and disclosures of PHI not covered by this notice and permitted by the laws that apply to us will be made only with your written authorization or that of your legal representative. If we are authorized to use or disclose PHI about you, you or your legally authorized representative may revoke that authorization, in writing, at any time, except to the extent that we have taken action relying on the authorization. You should understand that we will not be able to rescind any disclosures we have already made with authorization.

Information Security

Plan records maintained at Westmont College will be kept in a locked location. Electronic records containing PHI are kept in a secure environment and are protected by appropriate security and passwords. PHI may only be accessed by authorized personnel and cannot be used for employment-related purposes or for the administration of other benefit plans or programs. Human Resources Office employees who have access to PHI as part of their Plan administration functions will undergo a training program that outlines their responsibilities for compliance with the privacy regulations under HIPAA.

In addition, the College will adhere to all reporting requirements under HIPAA in the event of any security incident of which it becomes aware. A “security incident” means the successful or attempted unauthorized access, use, disclosure, modification, or destruction of unsecured PHI (PHI that has not been encrypted or otherwise rendered unreadable as provided under the HIPAA security regulations).

Your Rights Regarding Personal Health Information We Maintain About You

The following are your various rights under HIPAA concerning your PHI. Should you have questions about a specific right, please contact the Employment and Benefits Coordinator in the Human Resources Office.

- **Right to Request Confidential Communications.** You may request that we only communicate with you in a certain way or at a certain location about medical matters, such as only at work or only by mail.
- **Right to File a Complaint.** You may file a complaint with the Privacy Officer of Westmont College or with the Office for Civil Rights of the United States Department of Health and Human Services if you believe that your privacy rights have been violated. You will not be penalized or retaliated against for filing a complaint with the Plan or with the Office for Civil Rights
- **Right to Inspect and Copy.** You have the right to inspect and copy protected health information that is used to make decisions about your care. You must submit your request in writing to the Employment and Benefits Coordinator, Human Resources Office.
- **Right to Amend.** You have the right to request an amendment of your protected health information if you feel that the information we have about you is incorrect or incomplete.
- **Right to Request Restrictions.** You have the right to request a restriction on the protected health information disclosed about you for treatment, payment, or health care operations.
- **Right to an Accounting of Disclosures.** You have the right to request a list accounting for any disclosures of your protected health information we have made, except for uses and disclosures for treatment, payment, and health care operations, as described above.
- **Right to a Paper Copy of This Notice.** You have the right to obtain a paper copy of this notice at any time.
- **Right to Be Notified When a Breach of Data Security Occurs.** You have the right to be notified in the event that we or a business associate discovers a breach of your unsecured protected health information.

For additional information regarding our HIPAA Medical Information Privacy Policy or our general privacy policies, to request confidential communications or to file a complaint, please contact the Human Resources Office, or you may submit questions in writing directly to the Privacy Officer Westmont College, Attn: Lorraine Yoro, Human Resources 955 La Paz Road, Santa Barbara, CA 93108.

Additional Information

Changes to This Notice. We reserve the right to change the terms of this notice and policy at any time. We reserve the right to make the revised or changed notice effective for PHI we already have about you, as well as any PHI we receive in the future. You will be furnished with a copy of any revised notice.

2.18 Confidentiality and No Retaliation for Reporting of Illegal, Immoral, and Unethical Activity

The Sarbanes-Oxley Act of 2002 makes it a federal crime for any organization to retaliate against a “whistleblower” who reports illegal activity.

Westmont’s Community Life Statement emphasizes the special relationship between learning and community. Learning depends on truth-centered attitudes, and community is built upon other-centered practices.

By becoming a member of Westmont College, each of us inherits the task and responsibility to maintain the health and strength of our community. The Student, Faculty and Staff Handbooks spell out our expectations of one another and processes for reporting and investigating potential violations of college policies.

Community members are encouraged to report any illegal, immoral, or unethical activity that undermines the health and strength of our community. The college will not allow retaliation against anyone who makes such a report in good faith.

Reporting Activity That Is Illegal, Immoral, or Unethical

It is important that the college be notified of any illegal, immoral, or unethical activity that undermines the health and strength of our community. This includes, but is not limited to, the following:

- Forgery or alteration of college documents.
- Fraudulent financial reporting.
- Misappropriation or misuse of college resources.
- Pursuit of a benefit or advantage in violation of Westmont’s Conflict of Interest policy.
- Authorizing or receiving compensation for goods not received or services not performed.
- Verbal, visual, or physical conduct that harasses another.
- Facilitating or concealing any of the above or similar actions.

Any such illegal, immoral, or unethical activity should be reported to a member of the Executive Team or anyone designated by the Handbook to receive such allegations. All allegations will be promptly and fully investigated.

No Retaliation For Good Faith Reports

Westmont will not allow retaliation against anyone who in good faith submits a report of illegal, immoral, or unethical activity. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. Reports of retaliation will be investigated promptly.

Anyone who submits a report must be acting in good faith and have reasonable grounds for believing the information disclosed is illegal, immoral, or unethical. Any allegations that prove to be unsubstantiated and were made maliciously and known to be false will be viewed as a serious disciplinary offense.

Confidential Reporting

Reports of violations or suspected violations will be kept confidential to the extent allowed by law and to the extent consistent with the need to conduct an adequate investigation.

2.19 Conflict of Interest Policy (COI)

To ensure transparency in operations and ethical decision making, organizations commonly adopt a Conflict of Interest policy. A Conflict of Interest policy formally recognizes that employees and others who serve the institution are, when working, to prioritize the interest of the organization over all other interests, including their own. Typically, a policy of this nature will also describe potential situations in which a conflict may arise and identify a process for reporting and resolving them. While most day-to-day work does not include opportunities for an employee to prioritize their personal interests over that of the college, from time to time an employee may be in a position to make a decision that could result in a personal benefit at the expense of the college. In that situation, the employee experiences a conflict of interest.

As part of their governance of the college, the Westmont Board of Trustees has directed the President to ensure faculty and staff review and sign a Conflict of Interest policy annually. The Board Policy Manual directs Trustees to also sign the Conflict of Interest policy annually. In doing these things, the board ensures that all who work for the college are regularly reminded of their responsibility to put the interests of the college ahead of other interests, including personal interests.

To read Westmont's Conflict of Interest (COI) policy, please use the following link:
<https://www.westmont.edu/sites/default/files/conflict-of-interest.pdf>

An employee who thinks he/she may be in a situation where a conflict of interest is present should discuss this with his/her direct supervisor. If a determination is made that a conflict of interest is present or if the employee

and supervisor are uncertain if a conflict of interest is present, then the employee and/or direct supervisor should contact Tim Loomer, AVP of Research, Planning, and Implementation and Assistant to the President for Board Relations (tloomer@westmont.edu).

CHAPTER THREE: GENERAL EMPLOYMENT RULES AND PRACTICES

3.1 Search Guidelines

One of Westmont's long-range priorities is to diversify the campus, both in terms of its programs and its people, because the mission of the college includes the preparation of students for cross-cultural work and leadership. Therefore, the ethnic and gender diversity of applicants is an important factor in selecting candidates who can help us provide an increasingly diverse educational experience for our students.

As we work together to identify and hire a greater number of diverse applicants, Westmont is simultaneously committed to:

- Hiring the best candidates;
- Including ethnicity and gender as a factor in determining which candidates are best; and
- Working harder at identifying diverse applicants who would be the best candidates.

3.2 Background Checks

Background checking is one way the college tries to ensure a good fit between prospective employees and the needs and security of the Westmont community. Such checking includes good-faith efforts to contact those who know the character and work experiences of applicants, as well as the use of a professional screening service that investigates various sources for information such as motor vehicle reports, verification of Social Security numbers, and criminal background. Similar processes may be considered prudent to use when an employee's job duties change.

3.3 Employment of Relatives

We are pleased to consider qualified applicants who are related to employees. However, we will avoid employing relatives in the same department and/or under the supervision of a relative. "Relatives" are defined here as: parent, brother, sister, spouse, child, daughter/son-in-law, sister/brother-in-law, grandparent, aunt, uncle, niece, nephew, and legal guardian. When two individuals in the same department marry, and if there is a question about supervision, security, safety, or morale, or when potential conflicts of interest exist, one is expected to transfer or leave the college in keeping with this policy. Temporary employment is exempted from this policy.

Consistent with Board of Trustees policy related to conflicts of interest, the college will not hire a relative of a trustee unless 1) the appointment is necessary due to mission-critical needs and the lack of good alternatives; 2) there is prior approval in writing of the Board Chair and the College President; and 3) a written agreement details the manner in which conflicts of interest will be ameliorated.

3.4 Federal Immigration Requirements

Westmont is committed to full compliance with the federal immigration laws and will not knowingly hire or continue to employ anyone who does not have the legal right to work in the United States. As an ongoing condition of employment, employees will be required to provide documentation verifying identity and legal authority to work in the United States.

3.5 Access to Personnel Files

Employees may ask to inspect their personnel file or request a copy by making an appointment at the Human Resources Office for a mutually convenient time. An appointment to review and/or to receive a copy of an employee file will be scheduled within 30 days of the request. File inspection must be in the presence of a Human Resources staff person and the file may not be removed from the Human Resources Office. Human Resources will also supply copies of documents to employees that contain their signatures. A copying charge will apply. To request access to your Employee file, contact Human Resources.

3.6 Promotions and Transfer

Employees who are ready to meet challenges greater than their current positions demand are encouraged to seek new opportunities for growth and service at Westmont. Generally, a vacant staff position will be posted on the college's employment site for at least 10 days prior to making an offer of employment; exceptions can be granted by the President based on factors such as urgent need or a uniquely qualified staff member ready to take on new or additional responsibilities. Candidates from within the college will receive special consideration.

The college seeks to fill its positions with the best-qualified candidates through recruitment on and off campus. All individuals will be recruited, hired, assigned, compensated, and retained on the basis of their job-related qualifications.

3.7 Separation and Exit Interviews

Westmont values the observations and information that employees may provide when leaving the college. Employees are encouraged to use their exit interviews as an opportunity to provide input about their experiences that may be helpful in improving the Westmont community.

Upon leaving employment at Westmont, employees are requested to terminate their services in a professional manner. At least two weeks notice is normally expected of all staff members.

3.8 Break in Service Policy

A break in service occurs when a staff member is not employed at the college for a continuous period of 12 months. This can be due to:

- Voluntary resignation or retirement
- Involuntary termination or layoff
- Extended leave of absence (beyond the college's approved leave duration)

If a staff member returns to a regular role at the college within 12 months of their last day worked, their original hire date will continue to be used for purposes of service award calculation, tuition benefits eligibility, retirement waiting periods, and vacation accrual calculations. If a staff member returns to the college after more than 12 months than their last day worked, the re-hire date will be used for purposes noted above, unless Westmont elects to consider an exception in special circumstances.

Staff members who have questions regarding this policy or their eligibility for rehire after a break in service of one year or more should contact the Human Resources Office for clarification and guidance.

3.9 Employment References

Executive Team members as well as the offices of Human Resources and Payroll are the only offices that are authorized to respond to outside inquiries for references about current or former employees or other employment information. Disclosure of personnel information will be limited. If a staff member authorizes disclosure in writing, the college may provide additional information.

An employee who has applied for a loan or credit should notify the Human Resources office in order for the verification of employment information to be expedited.

CHAPTER FOUR: EMPLOYMENT CONDITIONS

4.1 Work Schedules/Flex-Time

The most common office hours at Westmont are from 8 a.m. to 5 p.m., Monday through Friday. Flex-time is available on the following basis: employees will continue to work the same number of hours in their normal work schedule (for example, five eight-hour days, Monday through Friday). With their supervisor's approval, employees may adjust the time of day they work between 7 a.m. and 6 p.m., as long as the office is staffed effectively during the core office hours of 9 a.m. to 4 p.m. This includes the option of taking a 30-minute (rather than a 60-minute) lunch period after no more than five hours of work.

4.2 Work Week

Westmont's workweek is Sunday through Saturday. For overtime calculation purposes, the workday begins and ends at midnight.

4.3 Breaks and Meal Periods

Meal Periods

Westmont College complies with federal and state legal requirements concerning meal and rest periods. The college authorizes and permits at least a 30-minute meal period to employees who work more than five hours, unless they work six or fewer hours total and voluntarily elect in writing to waive the first meal period. A second 30-minute meal period is provided to employees who work more than 10 hours in a workday, unless they work twelve or fewer hours total, did not waive the first meal period, and voluntarily elect in writing to waive the second meal period. Employees should take their first meal period before the end of the fifth hour of work and should take their second meal period before the end of the tenth hour of work. Meal periods cannot be taken at the beginning or end of shifts. Employees will be relieved of all of their duties during meal periods and are allowed to leave the campus. To complete a Meal Waiver, please contact Human Resources.

Meal periods are provided according to the following schedule:

| Duration of Shift in Hours | # Meal Periods | Comments |
|----------------------------|----------------|--|
| 0 – ≤ 5.0 | 0 | Employees who work five hours or fewer in a workday are not required to be provided with a meal period. |
| > 5.0 – < 10.0 | 1 | Employees who work more than 5 hours, but who work less than ten hours in a workday are provided with a 30-minute meal period available before end of 5th hour of work, unless the employees are working six or fewer hours and elect in writing to waive the first meal period. |
| < 10.0 | 2 | Employees who work ten or more hours in a workday are provided with a second 30-minute meal period available before end of 10th hour of work, unless the employees are working twelve or fewer hours, and did not waive the first meal period, and elect in writing to waive the second meal period. |

Any non-exempt employee who is required to work through some or all of a 30-minute meal period or who is required to take their meal period later than the fifth hour of a workday should indicate this in UKG to and submit it to his/her supervisor. ***Otherwise, it will be assumed that any employee who fails to record a timely meal period, or who records a less-than-30-minute meal period, did so voluntarily.***

Rest Periods

Non-exempt employees are authorized and permitted to take a 10 minute paid rest period for every four (4) hours worked, or major fraction thereof. The college authorizes and permits rest periods according to the following schedule:

| Duration of Shift In Hours | # of 10 Minute Rest Periods | Comments |
|----------------------------|-----------------------------|---|
| 0 – < 3.5 | 0 | Non-exempt employees who work less than 3.5 hours in a workday are not required to be offered a rest period. |
| > 3.5 – ≤ 6 | 1 | Non-exempt employees who work 3.5 hours or more in a workday, but who do not work more than 6 hours in a workday are authorized and permitted to take one 10 minute rest period. |
| > 6.0 – ≤ 10.0 | 2 | Non-exempt employees who work more than 6 hours in a workday, but who do not work more than 10 hours in a workday are authorized and permitted to take two 10 minute rest periods. |
| > 10.0 – ≤ 14.0 | 3 | Non-exempt employees who work more than 10 hours in a workday, but who do not work more than 14 hours in a workday are authorized and permitted to take three 10 minute rest periods. |

Whenever practical, employees should take their rest periods near the middle of each four-hour work period. Rest periods may not be accumulated or used as a basis for starting work late, leaving early, or

extending a meal period. Any non-exempt employee who is not authorized and permitted to take a rest period as stated above should complete a rest period penalty form and submit it to his/her supervisor to ensure s/he is properly compensated.

Non-exempt employees should communicate with their supervisor, in writing, if they were unable to take their rest period. Otherwise, it will be assumed they either took their rest period(s) or voluntarily waived them.

Non-exempt employees are expected to take their meal and rest periods in accordance with the applicable guidelines in this policy. Supervisors are expected to make meal and rest periods available to their employees in accordance with this policy. Supervisors can schedule specific meal and rest periods for their employees, taking into account departmental operational requirements and employee needs. Meal periods may be staggered so operations are not compromised, so long as the guidelines in this policy are met.

Non-exempt employees who work more than 14 hours in a workday may be entitled to additional rest breaks.

4.4 Recording Time

Unless a position is exempt from federal and state wage and hour laws, it is a non-exempt position. (An exempt position is paid a salary; a non-exempt position is paid an hourly rate of pay). The college is required to pay non-exempt employees for all hours worked including overtime pay, if applicable. On a daily basis, non-exempt employees should record in UKG when they begin work, take breaks, leave for and return from lunch, and end work. Time clock punches and entries are legal records and employees are responsible for accurately recording their time worked.

4.5 Overtime

On occasion, supervisors may approve additional work time to meet departmental needs. Non-exempt employees will be paid one and one-half times their regular hourly pay rate for actual hours worked over forty (40) hours in a workweek or over eight (8) hours in a workday. Non-exempt employees will also be paid two times their regular hourly pay rate for hours worked over twelve (12) hours in a day. Special overtime provisions apply to hours worked on the seventh consecutive day worked in the workweek.

Sick, vacation, and holiday pay are not considered as time worked when computing overtime pay.

Under state law, the college is not allowed to offer compensatory time off in lieu of overtime pay but does allow make-up time.

4.6 Make-Up Time

Make-up time may be used when non-exempt employees require time off due to personal obligations. Employees may take time off and then make up the time later in the same workweek, or may work extra hours

earlier in the workweek to make up for time that will be taken off later in the workweek. Make-up time will not be paid at an overtime rate.

Requests for make-up time must be written, signed, and submitted to the employee's supervisor. Make-up time should be requested via UKG.

Requests will be considered based upon the needs of the department.

If an employee asks to take make-up time that they will make up later in the week, they must submit their request at least 24 hours before the desired time off. If the employee asks to work make-up time first in order to take time off later in the week, they must submit their request at least 24 hours before working the make-up time. Requests must be approved in writing before the time off is taken or make-up time is worked, whichever occurs first. State law requires that all make-up time must be worked in the same workweek as the time taken off.

Employees may not work more than 11 hours in a day as a result of making up time that was or would be missed due to a personal obligation. If an employee takes time off and is unable to work the scheduled make-up time for any reason, the hours missed normally will be unpaid. However, supervisors may arrange with employees to work another time during the workweek to make up the time if possible. If an employee works make-up time before they plan to take time off, they must take that time off, even if they no longer need to do so. Using make-up time is completely voluntary and supervisors have the discretion to decline requests for make-up time.

4.7 Call-In Pay

Non-exempt employees who are called to report to work outside their regular work schedule will be paid for actual hours worked, but not less than three hours per occasion. Non-exempt employees should report call-in time as additional time worked, which should be noted on the timesheet.

Call-in pay should not be confused with pay for responding to work-related calls during non-working hours. Non-exempt employees who respond during non-working hours to work-related telephone calls and/or are required to conduct college business will be compensated for this time as work time. Non-exempt employees will be paid for actual time spent in responding to work-related calls during non-working hours, but not less than 15 minutes for each separate response.

4.8 Travel Time Pay

Non-exempt employees who must travel on college business will be paid for such time as time worked. Regular overtime policies will apply to travel time.

Westmont will pay hourly employees who travel out of town on college business with an overnight stay as follows:

- If taking public transportation, the employee should record on their timecard the time they arrive at the airport, train, or bus terminal until the time they arrive at their hotel minus any personal side trips and meal breaks.
- If driving, the employee should record all hours from the time they begin the trip until the time they arrive at their hotel minus any meal breaks or personal side trips.

Westmont will pay hourly employees who travel for the college on day trips as follows:

- If taking public transportation, the employee should record on their timecard all hours from the time they arrive at the airport, train, or bus terminal to depart until the time they return to the original departure point minus any meal breaks or personal side trips.
- If driving, the employee should record all hours from the time they begin the trip until the time they return home minus any meal breaks or personal side trips.

Contact the Payroll office with questions about non-exempt pay for travel time.

4.9 Training Pay

An employee's attendance at training programs will be considered paid work time where attendance is not voluntary, constructive work is performed during the training, and the training is intended to make the employee more proficient in their present position.

4.10 Attendance

Being on time is an important element of job performance and an essential function of all positions. If for any reason an employee cannot report for work on time, they are expected to follow departmental procedure in reporting the absence directly to their supervisor or the designated person as far in advance of their scheduled starting time as possible.

Attendance Standards

These guidelines cover some typical circumstances and are not intended to be all-inclusive. There are many variables that could apply to each employee's circumstances, such as the seriousness of an illness or injury, the length of recovery, the frequency and nature of prior absences, overall performance, length of service, and impact of the absence on the department. As a result of these variables, the specifics of each situation will be reviewed carefully before applying any guidelines. Attendance may be considered unacceptable if:

- at any time a pattern of absences is apparent, that is, the same day(s) of the week are taken off as sick days on a repeated basis, regardless of the actual number of days taken.
- an employee is absent and has not been in contact with their supervisor prior to the start of the work schedule, regardless of the actual number of days taken. If an employee expects to be absent for more

than five workdays, they are responsible for personally speaking with their supervisor at least once each week, unless instructed to do otherwise.

- an employee is late to work or leaves work early without their supervisor's approval, or extends a break or meal period, more than an average of once a month.

These guidelines are intended to help employees understand the importance of good attendance.

4.11 Interpersonal Relationships

An employee's conduct and contacts with members of the Santa Barbara community shape the public image of Westmont. Students, faculty, staff, and visitors make contact with staff each day. Many of them will form an opinion of Westmont based upon the quality of their interaction with staff, especially their words, actions, and attitudes. Therefore, employees are responsible for conducting themselves in ways that benefit the entire Westmont community, including our students.

4.12 Outside Employment and Activities

We encourage college employees to become actively involved in ministry and volunteer opportunities that enhance our community and are scheduled during non-working hours. Outside employment and other outside activities are discouraged if they reduce an employee's ability to perform effectively at the college.

4.13 Safety

Safety is each employee's personal responsibility. Employees must follow all safety rules, use all specified safety equipment, and obey safety signs and their supervisor's instructions. Employees should be particularly alert to any unsafe or hazardous conditions and report them to their supervisor, a member of the safety committee, or to the public safety department. Employees with concerns about the ergonomic set up of their work area should contact the Chief of Public Safety. While operating a college vehicle, employees must have a valid California's driver's license.

Safety training and a copy of the college's Illness and Injury Prevention Program will be provided to new employees, reassigned employees, and when significant changes are made in work practices (for example when new equipment is purchased). Training will include general area safety and specific area/job safety. Safety topics will be communicated from time to time through emails, texts, meetings, and other appropriate means of notification. The emergency procedures may be found at <https://www.westmont.edu/emergency>.

4.14 Work Related Injury Reporting

It is the responsibility of employees to report all work related injuries or illnesses immediately so that appropriate medical attention may be procured and injury reports may be completed. Workers' Compensation insurance covers work-related injuries.

The procedure for reporting injuries/illnesses that require medical attention other than first aid is as follows:

- Employees should contact their supervisor and the Human Resources office immediately.
- The college will direct the medical treatment for the first 30 days if an injured employee did not designate their personal physician in writing upon hire. Westmont reserves the right to require an injured employee to be examined by a physician chosen by the college to obtain a medical diagnosis, medical progress report, and/or a medical opinion as to fitness for return to work. The college pays for such examinations.

For injuries resulting in an absence from work, Workers' Compensation requires a three-day waiting period before wage replacement benefits begin. Westmont will pay the three-day waiting period. An employee who is absent from work for 10 calendar days or more as a result of a work-related injury or illness may request that sick leave be coordinated with Workers' Compensation benefits by notifying the Human Resources office. (See section [6.5 Leaves: Family Medical Leave](#))

If a holiday falls during an employee's absence for a work-related injury or illness, and if the employee would otherwise have been eligible for the holiday pay, upon request Westmont will pay the employee the difference between the Workers' Compensation benefit and normal pay for the holiday.

4.15 Work Areas

Employees are responsible for keeping their desk and work area clean, safe, and organized, and for using assigned equipment correctly. In addition, it is important to keep common areas such as break rooms and restrooms clean and presentable. Employees should take appropriate security measures when they are away from their work area. Employees may not use Westmont work facilities or equipment outside normal working hours, except with their supervisor's approval.

4.16 Remote Work

Remote work may be a viable work option in certain, unique circumstances which, when properly implemented and administered, benefit both the College and the employee. Remote work may not decrease service to students or constituents, and additional staff members may not be hired to augment remote work arrangements. Remote work does not change the basic terms and conditions of employment with the College. All College staff members, including remote and hybrid employees, are subject to all College policies and procedures.

Definitions

Remote work is work done at a designated approved location other than the main Westmont campus or associated sites. Remote work is not a right, but rather, a privilege which may be granted at the administration's sole discretion to high performing individuals whose duties are suited to such an arrangement.

Remote workers are staff members who work for the College from a home, or other remote office, for all or part of the regularly scheduled workweek.

Policies – Criteria for Remote Work

Remote work arrangements are approved on a case-by-case basis. Supervisors will first determine if the position is conducive to remote work, and then determine if the employee is eligible for remote work. Additional considerations are listed below.

Positions Appropriate for Remote Work Assignments

In determining whether an individual's position is appropriate for a remote work assignment, supervisors will consider factors including, but not limited to:

- Whether the work can be performed remotely (e.g., whether the work requires the staff member's physical presence at his/her Westmont campus workplace; the input necessary for completion of the position's work duties [information, materials, public contact]; whether the staff member supervises other staff member(s));
- Whether the work can be evaluated by review of objective, measurable factors without the supervisor being able to directly observe the work being performed;
- Whether there will be any impact on the staff member's ability to provide quality customer service, as our commitment to students and constituents should in no way be diminished (e.g., being available during business hours); and
- Whether remote work will negatively impact a department's ability to perform its functions.

Staff Eligible for Remote Work Assignments

In determining whether a staff member is well-suited for a remote work assignment, supervisors will consider factors including, but not limited to:

- Length of Employment;
- Staff member who has sustained high performance;
- Staff member should have no documented attendance concerns;
- Staff member should be self-disciplined and capable of working with little on-site supervision;
- Staff member must be able to function in an environment that is less structured and more autonomous than a traditional work environment;

- Staff member should have a high degree of organizational and planning skills;
- Staff member should be able to set and meet deadlines; and
- Staff member should have sufficient expertise in the use of computer technology to make remote work successful.

To be eligible for remote work, a staff member must be at minimum meeting expectations as reflected in his/her most recent performance evaluation and must not have been on a performance improvement plan during the last review cycle.

Procedures for Submitting a Remote Work Request

Requests to remote work may be initiated by the staff member. Staff member requests to remote work should be submitted on the form entitled "Remote Work Application and Agreement" on My.Westmont.edu on the Human Resources page. Supervisors will review requests for remote work assignments. The decision to approve or deny a request for a remote work assignment will be made by the staff member's supervisor, division vice president, and Human Resources. As described in this policy, multiple factors will be considered prior to a final determination.

4.17 Workplace Attire and Personal Appearance

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the image that Westmont presents. Employees are expected to present a clean and neat appearance and to dress appropriately for the requirements of their position. Employees who have questions about the appropriateness of their work attire should consult their supervisor.

4.18 Job Descriptions

Job descriptions summarize your responsibilities and should be expected to change over time. Job descriptions should be viewed as a "work in progress." The college may make changes in your job if it is in the best interest of Westmont. Sometimes employees may be assigned to entirely different roles because of the nature of the changes that are required for the college to accomplish its objectives. Being assigned different or additional duties does not automatically result in a pay change. Although rare, it is possible that assignment to a position in a lower pay level could result in a decrease in pay. For these reasons, we encourage supervisors to regularly review job descriptions to ensure that ongoing changes are recognized and understood by every employee and that jobs are re-evaluated when appropriate.

4.19 Introductory Period

The first 90 days of an employee's time at Westmont constitutes an introductory period. This is a time for training and learning the job responsibilities and expected performance standards. During this period, paid time-off will accrue but may not be used by non-exempt employees until the period is successfully completed.

Employees will receive a written performance evaluation either prior to or at the time of completion of the period. Completion of this period does not guarantee the right to continued employment. During or following completion of this period, the employee or the college may end the employment relationship for any reason at any time.

4.20 Performance Management Program

Every staff member will receive a written introductory performance evaluation at the completion of the first 90 days of employment. Thereafter, an annual written performance evaluation will be written by their supervisor, approved by the next level of supervision, and discussed with the employee.

The performance appraisal process is one tool your supervisor utilizes to assist you in being prepared, enabled, and motivated to accomplish your goals and objectives. Performance evaluation begins with a job description that outlines your responsibilities. If you are unclear about your responsibilities and expectations, be sure to discuss this with your supervisor.

The college has a written performance appraisal process. The objectives are to ensure that employees clearly understand their goals and responsibilities as well as their supervisor's expectations for their performance. In addition, employees should receive regular and clear coaching and feedback on how well they are meeting expectations and how they might further develop their skills and competencies. The performance management process is a tool used to strengthen communication between you and your supervisor. If you have any questions about the process, be sure to ask your supervisor.

Merit increases are one of the methods that Westmont uses to reward successful performance and are subject to the College's budgetary limitations. Any pay increase is subject to acceptable performance.

4.21 Corrective Action

The purpose of this section is to make employees aware of some of the college's performance and behavioral standards and some of the potential consequences of failure to meet standards.

If a supervisor believes an employee is not meeting the performance standards required, a typical first step is for the supervisor to discuss the situation directly with the employee to ensure the employee understands what is expected.

Documented feedback may follow one or more discussions between supervisor and employee when performance remains below standard. Typically, an employee will be given a reasonable amount of time for improvement to be shown. If performance issues continue, corrective action may be taken.

However, each situation is unique and will be treated on a case-by-case basis. As a result, corrective action may, at times, be initiated when no prior discussion about performance has occurred.

All corrective action documentation will be reviewed and approved by the immediate supervisor, the next level of supervision, and the Assistant Vice President or Associate Director of Human Resources, before discussing it with the employee.

The following list illustrates behaviors and circumstances that may result in corrective action, up to and including termination. These are examples and not intended to be an all-inclusive list.

- Unacceptable attendance.
- Failure to personally notify the supervisor of an absence within one hour after the start of the regular work schedule.
- Failure to adhere to work schedules: starting time, ending time, meal and break periods.
- Unacceptable work performance.
- Performing unauthorized personal work during the regular work schedule.
- Failure to complete a time sheet as instructed, or falsification of a time sheet.
- Disregarding another's health, safety, and welfare.
- Violating a college policy.
- Interfering with another employee's performance of duties.
- Distributing material or posting it on bulletin boards, walls, etc. without authorization.
- Violating any of the behavioral standards of the "Community Life Statement."
- Violating any of the standards outlined in the Workplace Demeanor language included in all job descriptions.
- Willful misuse or theft of college resources.
- Misrepresenting or omitting pre-employment information.
- Dishonesty or willful disobedience.
- Abuse of or disrespect for authority.
- Fighting, threatening, and/or endangering the life or safety of others.
- Willful damage to college property or the property of another person.
- Gross violation of safety rules.
- Possessing weapons.
- Being absent from work for more than three days without calling in or receiving prior approval. This will be considered job abandonment.

Except for circumstances justifying immediate termination as determined by the college, termination of employment will generally be preceded by the following actions:

1. At least one written corrective action document that has been prepared by the supervisor has been presented to the employee. The documentation will be reviewed and approved by the next level of supervision and the Assistant Vice President or Associate Director of Human Resources prior to reviewing it with the employee.
2. Two levels of supervision, the appropriate vice president, and the Vice President or Associate Director of Human Resources have reviewed the facts and agree to terminate.
3. The president has concurred with a recommendation to terminate an employee who has at least five years of service.

CHAPTER FIVE: PAY

5.1 Pay Philosophy and Program

Westmont is committed to providing pay that is competitive with our identified markets and fair internally. Every job has a pay range, and the pay employees receive is based on specific criteria. The main factors considered in making individual pay decisions are: current pay compared with market pay information, current pay compared with other Westmont employees in comparable positions, experience performing similar work, and job performance. Questions about your pay should be directed to your supervisor.

5.2 Pay Periods

Non-exempt staff are paid on a biweekly basis, on Fridays, for all hours worked and paid time off during the previous two-week period ending at midnight the prior Saturday.

Exempt staff are paid semi-monthly, on the 15th and the last day of the month, for time worked from the 1st of the month through the 15th of the month, and from the 16th of the month through the last day of the month.

Paper paychecks are distributed via campus mail on paydays. Paystubs for those who have elected direct deposit are available via UKG.

5.3 Payroll Deductions and Wage Garnishment

The college makes the deductions required by law for FICA, withholding for federal and state taxes and state disability insurance (if applicable). Staff members authorize other voluntary deductions, such as insurance premiums and retirement contributions. The college will comply with any federal, state, or court order requiring garnishment of any employee's wages.

5.4 Direct Deposit of Paychecks

Staff may have their pay directly deposited to their personal bank account. Direct deposit enrollment is completed online through UKG. If you have any questions, please contact the payroll department. Paystubs for those who have elected direct deposit are available via UKG.

CHAPTER SIX: BENEFITS

Westmont provides a wide range of benefits intended to contribute to the security and well-being of employees and their families. These benefits compare favorably to the programs of other colleges and employers in our area. Time-off benefits, insurance programs, and other benefits outlined here represent a significant part of total compensation, in addition to pay. For additional details, visit the Benefits page via my.westmont.edu.

6.1 Eligibility for Benefits

Employment status is important in determining eligibility for benefits.

- **Regular employee:** An employee (non-student) who fills a position that is established for an ongoing and indefinite period of time who has completed the introductory period.
- **Temporary employee:** An employee who fills a position established for a specified length of time, from a few days to one year, or for the duration of a particular grant or project.
- **Full-time employee:** An employee who is assigned to work at least 30 hours per week.
- **Part-time employee:** An employee who is assigned to work less than 30 hours per week.

Regular full-time employees are eligible for all college benefits. Part-time employees and temporary employees may be eligible for certain benefits depending on their schedule. For eligibility guidelines, contact Human Resources.

It is the responsibility of each eligible employee to notify the Human Resources office and complete the appropriate enrollments in UKG in order to initiate, modify, or terminate participation in any benefit plan.

6.2 Holidays

Westmont usually observes 17 holidays per academic year. The college holidays are communicated in writing at the beginning of the academic year. These typically include the following: a fall holiday, Thanksgiving Day and the Friday after Thanksgiving Day, Christmas Day and New Year's Day with five other days during this time, Martin Luther King Jr. Day, Presidents' Day, Good Friday, the Monday after Easter, Memorial Day, Juneteenth, and Independence Day.

When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, whichever is closer, will be observed as the holiday. Regular full-time and regular part-time employees are eligible for holiday pay based on their normal work schedules on those days. Temporary employees are not eligible for holiday pay unless they work full-time for more than 3 months. A regular non-exempt employee who is asked to work on a holiday will be paid both holiday pay and at their regular rate of pay for hours worked. An employee who has an unexcused absence on the workday before or after a holiday will not be paid for any of the holidays that may proceed or precede the absence. Employees who are on leave are not eligible for holiday pay.

Voluntary termination dates must fall, at a minimum, five working days after a paid holiday(s) in order to receive the preceding holiday pay.

6.3 Vacation

Vacations provide the opportunity to take paid time away from work for valuable physical, mental, and spiritual refreshment. Employees are encouraged to use all the vacation time for which they are eligible.

Regular full-time and part-time employees (those who work at least 953 hours per year) are eligible for paid vacation. During the first five years of service, the annual vacation is 12 days for full-time non-exempt employees, and 15 or 20 days, depending on position level, for full-time exempt employees.

After five years of service, full-time employees accrue one additional vacation day per year until a maximum annual vacation accrual of 17 days per year is reached for non-exempt employees and 20 days per year is reached for exempt employees. Employees who are assigned to work less than 2080 hours per year are eligible to accrue a pro-rata share of vacation based on their schedule and hours worked.

Vacation time is accrued on an hourly basis for hourly employees, and is earned at the rate of 1/24 of the annual amount per pay period for salaried employees. This information can be found on a staff members' profile in UKG. When employees work fewer hours than their normal schedule, or if their schedule is reduced, fewer vacation hours will be earned. Vacation time accrues on no more than 80 paid hours per pay period, less unpaid absences. At any time following completion of the introductory period, employees are eligible to use vacation time up to the amount that has been accrued, subject to supervisory approval.

Employees begin accruing vacation time on their first day and their accrued amount in each pay period depends on their rate of accrual and hours worked. Accrued hours are added to the vacation balance at the end of the pay period.

The maximum amount of earned vacation available in any vacation year, including carry-over from the prior year, is one-and-one-half times the employees' vacation eligibility. Once an employee reaches one-and-one-half times their annual vacation balance, they will stop accruing time until the balance is below one-and-one-half times. In order to encourage employees to use all their annual paid vacation, employees will not be paid for vacation time while working.

6.4 Sick Leave Benefits

Sick Leave for Regular Employees

All employees are eligible to accrue paid sick leave. Full-time regular employees earn sick leave at the rate of 15 days per year (hourly employees earn this on a per hours basis, salaried employees earn this on a per pay period basis). Unused sick leave may be carried forward for future use with a limit of 480 hours. Unused sick leave is

forfeited upon termination of employment. Regular, part time employees (those who work more than 953 hours) earn sick leave on a pro rata basis based on their work schedule.

Temporary and part-time employees (part time employees who work less than 953 hours per year) may accrue sick leave at a rate of 1/30 per hour and may request up to 5 days or 40 hours of accrued paid sick leave per year according to CA Paid Sick Leave (PSL) law. PSL allows employees to take time after 90 days of employment.

The usage of sick leave is subject to the following guidelines:

- Sick leave is to be used for personal physical/mental illness or injury that prevents an employee from working. It may also be used for dental/medical appointments.
- Sick leave can be used for the treatment, diagnosis, or preventative care for themselves, a family member, or a designated person.
- Regular employees (those who work more than 953 hours) may use up to one-half of the annual sick leave accrual, or forty hours (whichever is greater, as long as it has been accrued) to care for a sick or injured member of the employee's family including parent, child, spouse, or designated person. Those who accrue according to PSL may use up to 40 hours of accrued sick leave for this purpose.
- Westmont's practice is that employees who are out for three or more calendar days should contact Human Resources and will be provided leave paperwork and considered on leave (See section [6.5 Leaves: Family Medical Leave](#) for FMLA information)
- Staff who will be out on medical leave for more than 5 work days should consider applying for State Disability Insurance (SDI) benefits.
- The college may coordinate pay for an employee who has available sick and/or vacation balances, and notifies HR in advance that they are applying for SDI.
- Sick leave cannot be used as extra vacation, holiday, or for any other paid time-off purpose.
- Employees requesting time off under this policy should provide as much notice as possible.

Retaliation or discrimination against an employee who requests paid sick days or uses paid sick days or both is prohibited by state law.

California Sick Leave for Temporary Employees and some Part-Time Employees

The College provides eligible employees with paid sick leave pursuant to California's Healthy Workplaces Healthy Families Act ("HWHFA").

Eligibility

All employees working in California for the College are eligible to receive paid sick leave under this policy. Employees who are eligible for the college's Paid Time Off benefits receive sick leave as outlined in section [6.4 Sick Leave Benefits](#). Eligible employees under this policy do not include individuals who are covered under a

California local paid sick leave law (such as those in San Francisco), who will be provided paid sick leave under the applicable local paid sick leave policy only. The College will provide paid sick leave as required by state law for employees working outside of California.

Accrual and Carryover of Paid Sick Leave

Employees begin to accrue paid sick leave on their first calendar day of employment with the College or their date of eligibility under this policy, whichever is later.

Paid sick leave accrues at a rate of one hour for every 30 hours worked, up to an overall accrual cap of 80 hours or the equivalent of 10 workdays (based on the employee's work schedule), whichever is greater. Once an employee's paid sick leave balance reaches their overall accrual cap, no further paid sick leave will accrue until previously accrued paid sick leave is used. Employees will not be given retroactive credit for any period of time in which they do not accrue paid sick leave because their balance was at the accrual cap.

Nonexempt employees accrue paid sick leave based on all hours worked, including overtime.

Employees may carry over all accrued but unused paid sick leave from one benefit year to the next. For purposes of this policy, the benefit year is September 1 through August 31. The College does not pay out any unused paid sick leave at year-end in lieu of carryover.

Employees will be able to determine the amount of paid sick leave available for use by reviewing their pay stubs or by viewing their leave accrual profile in UKG.

Annual Grant of Paid Sick Leave

Salaried employees who do not have sick leave as outlined in section [6.4 Sick Leave Benefits](#) will be provided an initial grant of paid sick leave of 40 hours or the equivalent of five (5) workdays (based on the employee's work schedule), whichever is greater, on their first calendar day of employment with the College or their date of eligibility under this policy, whichever is later, and an annual grant at the beginning of each benefit year thereafter. For purposes of this policy, the benefit year is September 1 through August 31.

Paid sick leave that remains unused at the end of a benefit year will be lost and will not carry over from one year to the next.

Employees will be able to determine the amount of paid sick leave available for use by reviewing their pay stubs or by viewing their leave accrual profile in UKG.

Using Paid Sick Leave

Newly hired employees cannot use paid sick leave until their 90th calendar day of employment with the College. Thereafter, employees may use paid sick leave as it is accrued.

Employees may use a maximum of the greater of 40 hours or the equivalent of five (5) workdays (based on the employee's work schedule) of paid sick leave per benefit year.

Employees must use paid sick leave in an initial increment of at least 1 hour, to cover all or part of a workday.

Employees are not required to search for or find a replacement worker to cover the period during which they use paid sick leave.

Covered Reasons for Use

Paid sick leave may be used only during times that an employee cannot work for the following reasons:

- The diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member.
- Obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking;
- Obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking; or
- Participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

If the employee or the employee's family member is a victim of a qualifying act of violence and time off is needed to:

- Obtain or attempt to obtain any relief (e.g., a temporary restraining order, restraining order, or other injunctive relief) to help ensure the health, safety, or welfare of the victim, their child, or a family member;
- Seek, obtain, or assist a family member to seek or obtain medical attention for, or to recover from, injuries caused by a qualifying act of violence;
- Seek, obtain, or assist a family member to seek or obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization as a result of a qualifying act of violence;
- Seek, obtain, or assist a family member to seek or obtain psychological counseling or mental health services related to an experience of a qualifying act of violence;
- Participate in safety planning and take other actions to increase safety from future qualifying acts of violence;
- Relocate or engage in the process of securing a new residence due to the qualifying act of violence, including, but not limited to, securing temporary or permanent housing or enrolling children in a new school or daycare;
- Provide care to a family member who is recovering from injuries caused by a qualifying act of violence;
- Seek, obtain, or assist a family member to seek or obtain civil or criminal legal services in relation to the qualifying act of violence;

- Prepare for, participate in, or attend any civil, administrative, or criminal legal proceeding related to the qualifying act of violence; or
- Seek, obtain, or provide child care or care to a care-dependent adult if the child care or care is necessary to ensure the safety of the child or dependent adult as a result of the qualifying act of violence.

For purposes of this policy, “family member” means the employee’s spouse, child, legal ward, parent (including the parent of a spouse), legal guardian, grandchild, grandparent, sibling, or a designated person. A “designated person” means a person identified by the employee at the time the employee requests paid sick leave. Employees are limited to one designated person per 12-month period.

For purposes of this policy, a “qualifying act of violence” means any of the following, regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime against the employee or their family member: (a) domestic violence; (b) sexual assault; (c) stalking; or (d) an act, conduct, or pattern of conduct that includes any of the following: in which an individual causes bodily injury or death to another individual; in which an individual exhibits, draws, brandishes, or uses a firearm, or other dangerous weapon, with respect to another individual; or in which an individual uses, or makes a reasonably perceived or actual threat to use, force against another individual to cause physical injury or death.

Notice Required

If the need to use paid sick leave is foreseeable, such as for prescheduled medical appointments and court dates in domestic violence cases, employees must make a good faith effort to provide reasonable advance notice to their direct supervisor of an absence from work. If the need to use paid sick leave is unforeseeable, employees must provide notice to their direct supervisor as soon as practicable. Employees may provide notice to their direct supervisor by phone call, email, or text message as soon as they are able.

When notifying the College of the need to use paid sick leave, an employee should include the anticipated duration of the absence, when possible.

In all circumstances, employees are responsible for specifying that the time off is for paid sick leave reasons (as opposed to, for example, vacation), so that the absence may be designated as a paid sick leave absence.

Pursuant to the College’s timekeeping policies, employees should record their use of paid sick leave in UKG either before their absence or upon their return to work if the absence was not anticipated.

Verification of Absence

In general, employees will not be required to provide verification of the need for paid sick leave but may be required to provide documentation or certification of the absence under another applicable law like the Family and Medical Leave Act or the Americans with Disabilities Act. However, to the extent permitted by applicable law, the College reserves the right to require a doctor’s note or other verification of the employee’s need for the

absence when it has information indicating that the employee is not requesting paid sick leave for a valid purpose.

The College will keep confidential the health information of the employee or employee's family member, as well as information related to qualifying acts of violence perpetrated against the employee or their family member, in accordance with federal, state, and local law.

Discipline for Unprotected Use of Paid Sick Leave

Discipline — up to and including termination — may be taken against an employee who uses paid sick leave for a purpose not covered by, or in a manner not consistent with, the HWHFA. In addition, discipline — up to and including termination — may be taken against an employee that violates this policy's requirements concerning requesting, using, recording, verifying, and/or documenting use of paid sick leave.

Rate of Pay

The rate of pay for sick leave will be calculated in accordance with applicable law.

Separation from Employment and Rehire

The College does not pay employees for unused paid sick leave at any time, including upon separation from employment for any reason.

If an employee's employment with the College ends and the employee is rehired within one (1) year of employment ending, the employee's previously accrued but unused paid sick leave balance will be reinstated and made available for use in accordance with the HWHFA.

No Discrimination or Retaliation

As long as the use of paid sick leave complies with the requirements of this policy and the HWHFA, the College will not count employees' use of paid sick leave as an absence or "occurrence" under any College attendance policy. Therefore, any such use of paid sick leave will not lead to or result in discipline, demotion, suspension, or termination.

The College will not retaliate or discriminate against any employee for requesting or using paid sick leave for authorized circumstances or for making a complaint or informing a person about a suspected violation of this policy, cooperating or participating in any investigation, administrative hearing or judicial action regarding an alleged violation, opposing any policy or practice prohibited by any sick and safe time or mandatory paid leave law, or informing any person of their potential rights under the law.

Additional Information

Employees who have questions about the California Paid Sick Leave policy should contact Human Resources.

In all circumstances, employees are responsible for specifying that the time off is for paid sick leave reasons (as opposed to, for example, vacation), so that the absence may be designated as a paid sick leave absence.

Pursuant to the College's timekeeping policies, employees should record their use of paid sick leave in UKG either before their absence or upon their return to work **if the absence was not anticipated**.

6.5 Leaves

School Activities Leave

The state of California requires that employers allow employees with children in grades 1-12 to take up to 40 hours per school year of unpaid leave for school conferences and visits, provided reasonable advance notice and supporting documentation are provided to the employee's supervisor. Eligible staff may take vacation leave or unpaid leave, assuming the use adheres to the guidelines above.

Family Medical Leave

The College will grant family and medical leave in accordance with the requirements of applicable federal and state law in effect at the time the leave is granted. Although the federal and state laws have different names the College refers to the federal Family and Medical Leave Act (Fed-FMLA) and the California Family Rights Act (CFRA) collectively as FMLA Leave. In any case, employees will be eligible for the most generous benefits available under applicable law.

Employees should contact their supervisor and the Human Resources office as soon as they become aware of the need for a family or medical leave. Westmont's practice is that employees who are out for three or more calendar days will be provided leave paperwork and considered on leave. The following is a summary of the relevant provisions with additional information available from Human Resources. At the time of the request, a copy of the leave policy will be provided.

Employee Eligibility

To be eligible for FMLA Leave, employees must:

1. have been employed by the College for a total of at least 12 months (not necessarily consecutive);
2. have worked at least 1,250 hours during the previous 12 months immediately prior to the start of the leave; and

3. (Fed-FMLA only) have worked at a location where at least 50 employees are employed by the College within 75 miles of the employee's worksite, as of the date the leave is requested. Eligibility requirements may differ for employees who have been on a protected military leave of absence. If employees are unsure whether they qualify for FMLA Leave, they should contact Human Resources.

Reasons for Leave

Federal and state laws allow FMLA Leave for various reasons. Because employees' legal rights and obligations may vary depending upon the reason for the FMLA Leave, it is important to identify the purpose or reason for the leave. Fed-FMLA leave and CFRA leave run concurrently except for the following reasons: to care for a child without regard to age or dependency status, parent-in-law, grandparent, grandchild, sibling, or designated person (CFRA only), incapacity due to pregnancy or prenatal care as a serious health condition (Fed-FMLA only), qualifying exigency leave as defined under the FMLA (Fed-FMLA only), qualifying exigency leave as defined under the CFRA (CFRA only), and military caregiver leave (Fed-FMLA only). Additionally, CFRA coverage for an employee's own serious health condition that also constitutes a disability under the California's Fair Employment and Housing Act (FEHA) is separate and distinct from FEHA protections. If the employee cannot return to work at the expiration of the CFRA leave, the College will engage the employee in the interactive process to determine whether an extension of the leave would be a reasonable accommodation under the FEHA.

FMLA Leave may be used for one of the following reasons:

- The birth, adoption, or foster care of an employee's child within 12 months following birth or placement of the child (Bonding Leave);
- To care for an immediate family member (spouse, child, parent; and for CFRA Leave: grandparent, grandchild, sibling, or designated person) with a serious health condition (Family Care Leave);
- An employee's inability to work because of a serious health condition (Serious Health Condition Leave);
- A "qualifying exigency," as defined under the FMLA, arising from a spouse's, child's, or parent's "covered active duty" as a member of the military reserves, National Guard or Armed Forces or as defined under the CFRA, related to the covered active duty or call to covered active duty of an employee's spouse, child, or parent in the Armed Forces of the United States (Qualifying Exigency Leave); or
- To care for a spouse, child, parent, or next of kin (nearest blood relative) who is a "Covered Servicemember" (Military Caregiver Leave).

Definitions

"Child," for purposes of Bonding Leave and Family Care Leave, means a biological, adopted, or foster child; a stepchild; a legal ward; or a child of a person standing *in loco parentis*, and for Fed-FMLA only, who is either under age 18, or age 18 or older and incapable of self-care because of a mental or physical disability, at the time that FMLA Leave is to commence. "Child," for purposes of Qualifying Exigency Leave and Military Caregiver Leave, means a biological, adopted, or foster child; stepchild; legal ward; or a child for whom the person stood *in loco parentis*, and who is of any age.

"**Parent**," for purposes of this policy, means a biological, adoptive, step or foster father or mother, or any other individual who stood *in loco parentis* to the person. This term includes a parent-in-law for CFRA leave only. For Qualifying Exigency Leave taken to provide care to a parent of a deployed military member, the parent must be incapable of self-care as defined by the FMLA.

"**Designated Person**," for purposes of this policy, means any individual related by blood or whose association with the employee is the equivalent of a family relationship. Employees may identify a designated person at the time they request CFRA leave. Employees are limited to one designated person per 12-month period.

"**Covered Active Duty**" means (1) in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and (2) in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty (or notification of an impending call or order to active duty) in support of a contingency operation as defined by applicable law.

"**Covered Servicemember**" means (1) a member of the Armed Forces, including a member of a reserve component of the Armed Forces, who is undergoing medical treatment, recuperation or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list, for a serious injury or illness incurred or aggravated in the line of duty while on active duty that may render the individual medically unfit to perform his or her military duties; or (2) a person who, during the five years prior to the treatment necessitating the leave, served in the active military, Naval or Air Service, and who was discharged or released under conditions other than dishonorable (a "veteran" as defined by the Department of Veteran Affairs), and who has a qualifying injury or illness incurred or aggravated in the line of duty while on active duty that manifested itself before or after the member became a veteran.

"**Spouse**" means a husband or wife. Husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law.

"**Key employee**" means a salaried Fed-FMLA Leave eligible employee who is among the highest paid 10 percent of all the employees employed by the employer within 75 miles of the employee's worksite at the time of the Fed-FMLA leave request.

"**Serious health condition**" means an illness, injury, impairment or physical or mental condition that involves either:

- Inpatient care (including, but not limited to, substance abuse treatment) in a hospital, hospice or residential medical care facility, including any period of incapacity (that is, inability to work, attend school or perform other regular daily activities) or any subsequent treatment in connection with this inpatient care; or
- Continuing treatment (including, but not limited to, substance abuse treatment) by a health care provider that includes one or more of the following:
 - A period of incapacity (that is, inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment or the recovery that it requires) of more than three consecutive calendar days, and any subsequent treatment or period of incapacity

relating to the same condition, that also involves treatment two or more times via an in person visit to a health care provider, or at least one visit to a health care provider that results in a regimen of continuing treatment under the supervision of the health care provider.

- Any period of incapacity due to pregnancy or prenatal care (under the Fed-FMLA, but not the CFRA).
- Any period of incapacity or treatment for incapacity due to a chronic serious health condition that requires periodic visits to a health care provider, continues over an extended period of time and may cause episodic incapacity.
- A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective, such as Alzheimer's, a severe stroke, and the terminal stages of a disease.
- Any period of absence to receive multiple treatments (including any period of recovery) by a health care provider either for (a) restorative surgery after an accident or other injury; or (b) a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.

"Serious injury or illness" in the case of a current member of the Armed Forces, National Guard or Reserves is an injury or illness incurred by a covered servicemember in the line of duty on active duty (or that preexisted the member's active duty and was aggravated by service in the line of duty on active duty) in the Armed Forces that may render him or her medically unfit to perform the duties of his or her office, grade, rank or rating. In the case of a covered veteran, "serious injury or illness" means an injury or illness that was incurred in the line of duty on active duty (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty) and that manifested itself before or after the member became a veteran.

"Qualifying exigency" for Fed-FMLA is defined by the Department of Labor and for CFRA is defined by the California Unemployment Insurance Code and generally includes events related to short-notice deployment, military ceremonies, support and assistance programs, changes in child care, school activities, financial and legal arrangements, counseling, and post-deployment activities. Qualifying Exigency Leave may also be used to spend up to 15 days with military members who are on short-term, temporary, rest and recuperation leave during their period of deployment.

Length of Leave

If the reason for leave is common to both Fed-FMLA and CFRA and, therefore, running concurrently, the maximum amount of FMLA Leave will be 12 workweeks in any 12-month period. If the reason for leave is not common to both Fed-FMLA and CFRA and, therefore, not running concurrently, then an eligible employee may be entitled to additional leave under applicable law.

The applicable "12-month period" utilized by the College is the rolling 12-month period measured backward from the date an employee uses his/her FMLA leave. Under this method the 12-month period is measured backward from the day the employee uses any FMLA leave.

The maximum amount of Fed-FMLA Leave for an employee wishing to take Military Caregiver Leave will be a combined leave total of 26 workweeks in a single 12-month period. A "single 12-month period" begins on the date of the employee's first use of such leave and ends 12 months after that date.

If both spouses work for the College and are eligible for leave under this policy, under the Fed-FMLA, the spouses will be limited to a total of 26 workweeks off between the two when the leave is for Military Caregiver Leave only or is for a combination of Military Caregiver Leave, Bonding Leave, and/or Family Care Leave taken to care for a parent.

When CFRA Leave is for the birth or placement of a child and both parents work for the College, they will each be allowed up to 12 weeks of CFRA leave within 12 months of the child's birth or placement.

To the extent required by law, leave beyond an employee's FMLA Leave entitlement will be granted when the leave is necessitated by an employee's work related injury or illness, a pregnancy-related disability, or a "disability" as defined under the Americans with Disabilities Act (ADA) and/or the Fair Employment and Housing Act (FEHA). When the reason for CFRA leave was the employee's serious health condition, which also constitutes a "disability" under the FEHA and the employee cannot return to work at the conclusion of the CFRA leave, the College will engage in an interactive process to determine whether an extension of leave would constitute a reasonable accommodation under the FEHA.

Intermittent or Reduced Schedule Leave

Under some circumstances, employees may take FMLA Leave intermittently, which means taking leave in blocks of time or reducing the employee's normal weekly or daily work schedule. An employee may take leave intermittently or on a reduced schedule whenever it is medically necessary to care for the employee's child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or designated person with a serious health condition or because the employee has a serious health condition. The medical necessity of the leave must be determined by the health care provider of the person with the serious health condition.

Intermittent or reduced schedule leave may also be taken for absences where the employee or their family member is incapacitated or unable to perform the essential functions of the job because of a chronic serious health condition, even if the person does not receive treatment by a health care provider.

Leave due to military exigencies may also be taken on an intermittent basis.

Leave taken intermittently may be taken in increments of no less than one hour. Employees who take leave intermittently or on a reduced work schedule basis for planned medical treatment must make a reasonable effort to schedule the leave so as not to unduly disrupt the College's operations. Please contact Human Resources prior to scheduling medical treatment. If FMLA Leave is taken intermittently or on a reduced schedule basis due to planned medical treatment, we may require employees to transfer temporarily to an available alternative position with an equivalent pay rate and benefits, including a part-time position, to better accommodate recurring periods of leave.

If an employee using intermittent leave or working a reduced schedule finds it physically impossible to start or stop work mid-way through a shift in order to take CFRA leave and is therefore forced to be absent for the entire shift, the entire period will be counted against the employee's CFRA entitlement. However, if there are other aspects of work that the employee is able to perform that are not physically impossible, then the

employee will be permitted to return to work, thereby reducing the amount of time to be charged to the employee's CFRA entitlement.

CFRA leave for Bonding Leave does not have to be taken in one continuous period of time, but the minimum duration is two weeks. However, the College will grant a request for CFRA leave lasting less than two weeks' twice during the 12 week period. Additional requests for Bonding Leave lasting less than two weeks may be directed to Human Resources and will be considered on a case-by-case basis depending on the needs of the College. If the request is granted, the College may require the employee to transfer temporarily to an available alternative position. Bonding Leave must be concluded within one year of the birth or placement of the child.

If employees have been approved for intermittent leave and they request leave time that is unforeseeable, they must specifically reference either the qualifying reason for leave or the need for FMLA Leave at the time they call off.

Notice and Certification

Bonding, Family Care, Serious Health Condition, and Military Caregiver Leave Requirements

Employees are required to provide:

- When the need for the leave is foreseeable, 30 days' advance notice or such notice as is both possible and practical if the leave must begin in fewer than 30 days (normally this would be the same day the employee becomes aware of the need for leave or the next business day);
- When the need for leave is not foreseeable, notice within the time prescribed by the College's normal absence reporting policy, unless unusual circumstances prevent compliance, in which case notice is required as soon as is otherwise possible and practical;
- When the leave relates to medical issues, a completed Certification of Health Care Provider form within 15 calendar days (for Military Caregiver Leave, an invitational travel order or invitational travel authorization may be submitted in lieu of a Certification of Health Care Provider form);
- Periodic recertification (as allowed by law); and
- Periodic reports during the leave.

In addition to other notice provisions, employees requesting leave for CFRA qualifying reasons must respond to any questions designed to determine whether an absence is potentially qualifying for leave under this policy. Failure to respond to permissible inquiries regarding the leave request may result in denial of CFRA leave protections. Similarly, an employee or the employee's spokesperson may be required to provide additional information needed to determine whether a requested leave qualifies for Fed-FMLA protections. An employee's failure to adequately explain the reason for the leave may result in the denial of Fed-FMLA protections.

Certification forms are available from Human Resources. At the College's expense, we may require a second or third medical opinion regarding the employee's own serious health condition or the serious health condition of an employee's family member for Fed-FMLA purposes and, for CFRA purposes, the employee's own serious health condition. In limited cases, we may require a second or third opinion regarding the injury or illness of a

Covered Servicemember. Employees are expected to cooperate with the College in obtaining additional medical opinions that we may require.

When leave is for planned medical treatment, employees must try to schedule treatment so as not to unduly disrupt the College's operation. Please contact Human Resources prior to scheduling planned medical treatment.

If an employee does not produce the certification as requested, the FMLA leave will not be protected.

Recertification After Grant of Leave

In addition to the requirements listed above, if an employee's Fed-FMLA leave is certified, the College may later require medical recertification in connection with an absence that the employee reports as qualifying for Fed-FMLA leave. For example, the College may request recertification if (1) the employee requests an extension of leave; (2) the circumstances of the employee's condition as described by the previous certification change significantly (e.g., employee absences deviate from the duration or frequency set forth in the previous certification; employee's condition becomes more severe than indicated in the original certification; employee encounters complications); or (3) the College receives information that casts doubt upon the employee's stated reason for the absence. In addition, the College may request recertification in connection with an absence after six months have passed since the employee's original certification, regardless of the estimated duration of the serious health condition necessitating the need for leave. Any recertification requested by the College will be at the employee's expense.

In addition to the requirement listed above, a recertification under the CFRA may only be requested at the expiration of the time period in the original certification for time off for the employee's own serious health condition. If an employee does not produce the recertification as requested, the leave will not be CFRA protected.

Qualifying Exigency Leave Requirements

Employees are required to provide:

- As much advance notice as is reasonable and practicable under the circumstances;
- A copy of the covered servicemember's active duty orders when the employee requests leave and/or documentation (such as Rest and Recuperation leave orders) issued by the military setting forth the dates of the servicemember's leave; and
- A completed Certification of Qualifying Exigency form within 15 calendar days, unless unusual circumstances exist to justify providing the form at a later date.

Certification forms are available from Human Resources.

Failure to Provide Notice or Certification and to Return from Leave

Absent unusual circumstances, failure to comply with these notice and certification requirements may result in a delay or denial of the leave. If an employee fails to return to work at the leave's expiration and has not obtained an extension of the leave, the College may presume that the employee does not plan to return to work and has voluntarily terminated his or her employment.

Compensation During Leave

Generally, FMLA Leave is unpaid. However, employees may be eligible to receive benefits through state-sponsored programs. Employees may also choose to use accrued vacation and sick leave, to the extent permitted by law and the College's policy. If employees elect to have wage-replacement benefits and accrued paid leave integrated, the integration will be arranged such that employees will receive no greater gross compensation than their regular gross compensation during this period. The use of paid benefits will not extend the length of FMLA Leave. Employees who are out for more than 10 days are required to apply for CA SDI benefits. Employees may choose to integrate available sick or vacation time with SDI if they so choose.

Benefits During Leave

The College will continue making contributions to employees' group health benefits during their leave on the same terms as if the employees had continued to actively work. This means that if employees want their benefits coverage to continue during their leave, they must also continue to make the same premium payments that they are now required to make for themselves or their dependents. Employees taking leave for a reason that is common to both Fed-FMLA and CFRA and, therefore, leave is running concurrently, will generally be provided with group health benefits for a 12 workweek period. When employees take leave for a reason that is not common to both Fed-FMLA and CFRA and, therefore, leave is running consecutively, the College will continue the employee's health insurance benefits for up to a maximum of 12 workweeks in a 12-month period during each applicable leave. Employees taking Military Caregiver Leave may be eligible to receive group health benefits coverage for up to a maximum of 26 workweeks. In some instances, the College may recover premiums it paid on an employee's behalf to maintain health coverage if the employee fails to return to work following FMLA Leave.

An employee's length of service will remain intact, but benefits such as vacation and sick leave may not accrue while on an unpaid FMLA Leave.

Job Reinstatement

Under most circumstances, employees will be reinstated to the same position they held at the time of the leave or to an equivalent position with equivalent pay, benefits and other terms and conditions of employment. If an employee becomes unqualified during CFRA leave as a result of not attending a necessary course, or renewing a license, the employee will be given a reasonable opportunity to fulfill those conditions upon returning to work. Further, the College may grant an employee's request to work a different shift, in a different or better position, or in a different location, that is better suited to the employee's personal needs upon

returning from CFRA leave. The College will also consider a reasonable accommodation under the FEHA if the employee is returning from CFRA leave for his or her own serious health condition. However, employees have no greater right to reinstatement than if they had been continuously employed rather than taken leave. For example, if an employee would have been laid off or his or her position would have been eliminated even if he or she had not gone on leave, then the employee will not be entitled to reinstatement. However, if an employee has been replaced or the employee's position was restructured to accommodate the employee absence, the employee is entitled to reinstatement.

Prior to being allowed to return to work, an employee wishing to return from a Serious Health Condition Leave must submit an acceptable release from a health care provider that certifies the employee is able to resume work. For an employee on intermittent or reduced schedule FMLA Leave, such a release may be required up to once every 30 days if reasonable safety concerns exist regarding the employee's ability to perform his or her duties, based on the serious health condition for which the employee took the intermittent or reduced schedule leave.

For Fed-FMLA purposes only, key employees may be subject to reinstatement limitations in some circumstances. If employees are considered a "key employee," those employees will be notified of the possible limitations on reinstatement at the time the employee requests a leave of absence, or when leave begins, if earlier.

Confidentiality

Documents relating to medical certifications, recertifications or medical histories of employees or employees' family members will be maintained separately and treated as confidential medical records, except that in some legally recognized circumstances, the records (or information in them) may be disclosed to supervisors and managers, first aid and safety personnel or government officials.

Fraudulent Use of FMLA Leave Prohibited

An employee who fraudulently obtains FMLA Leave from the College is not protected by the Fed-FMLA's or the CFRA's job restoration or maintenance of health benefits provisions. In addition, the College will take all available appropriate disciplinary action against an employee due to such fraud.

Nondiscrimination

The College takes its FMLA Leave obligations very seriously and will not interfere with, restrain or deny the exercise of any rights provided by the Fed-FMLA or the CFRA. We will not terminate or discriminate against any individual for opposing any practice or because of involvement in any proceeding related to the Fed-FMLA or CFRA. If an employee believes that his or her Fed-FMLA or CFRA rights have been violated in any way, he or she should immediately report the matter to Human Resources.

Additional Documentation

The College's "Employee Rights and Responsibilities" notice provides additional details regarding employees' rights and responsibilities under the Fed-FMLA. Employees may obtain a copy of the "Employee Rights and Responsibilities" notice from Human Resources.

Employees should contact Human Resources as to any Fed-FMLA or CFRA questions they may have.

Pregnancy and Pregnancy-Related Disability Leave and Accommodation

Pregnancy Disability Leave

Any employee who is disabled by pregnancy, childbirth, or a related medical condition (including medical conditions relating to lactation) is eligible for up to four months of pregnancy disability leave. If an employee is also eligible for leave under the federal Family and Medical Leave Act (Fed-FMLA), the Fed-FMLA leave and the pregnancy disability leave will run concurrently.

For purposes of this policy, employees are "disabled by pregnancy" when, in the opinion of their health care provider, they cannot work at all or are unable to perform any one or more of the essential functions of their job or to perform them without undue risk to themselves, the successful completion of their pregnancy or other persons as determined by a health care provider. The term "disabled" also applies to certain pregnancy-related conditions, such as severe morning sickness or the need to take time off for prenatal or postnatal care, bed rest, post-partum depression, and the loss or end of pregnancy (among other pregnancy-related conditions that are considered to be disabling).

Reasonable Accommodation for Employees Affected by Pregnancy

Any employee who is affected by pregnancy may also be eligible for a temporary transfer or another accommodation. Employees are "affected by pregnancy" if they are pregnant or have a related medical condition and their health care provider has certified that it is medically advisable for the employee to temporarily transfer or to receive some other accommodation.

The College will provide a temporary transfer to a less-strenuous or hazardous position or duties or other accommodation to an employee affected by pregnancy if:

- The employee requests a transfer or other accommodation;
- The request is based upon the certification of a health care provider as "medically advisable"; and
- The transfer or other requested accommodation can be reasonably accommodated pursuant to applicable law.

No additional position will be created, and the College will not terminate another employee, transfer another employee with more seniority, or promote or transfer any employee who is not qualified to perform the new job as a part of the accommodation process.

Examples of reasonable accommodations include:

- modifying work schedules to provide earlier or later hours;
- modifying work duties, practices, or policies;
- providing time off;
- providing furniture (such as stools) and modifying equipment and devices; and
- providing additional break time for lactation or trips to the restroom.

If time off or a reduction in hours is granted as a reasonable accommodation, the College will consider the reduced hours/time off as pregnancy disability leave and deduct those hours from an employee's four-month leave entitlement.

Advance Notice and Medical Certification

To be approved for a pregnancy disability leave of absence, a temporary transfer, or other reasonable accommodation, employees must provide the College with:

- 30 days' advance notice before the leave of absence, transfer, or reasonable accommodation is to begin, if the need is foreseeable;
- As much notice as is practicable before the leave, transfer, or reasonable accommodation when 30 days' notice is not possible; and
- A signed medical certification from their health care provider that states that they are disabled due to pregnancy or that it is medically advisable for them to be temporarily transferred or to receive some other requested accommodation.

The College may require employees to provide a new certification if they request an extension of time for their leave, transfer, or other requested accommodation.

Failure to provide the College with reasonable advance notice may result in the delay of leave, transfer, or other requested accommodation.

Duration

The College will provide employees with pregnancy disability leave for a period not to exceed four months. The four months is defined as the number of days (and hours) the employee would normally work within four calendar months or 17.33 workweeks. This leave may be taken intermittently or on a continuous basis, as certified by the employee's health care provider. Leave taken intermittently may be taken in increments of no less than one hour.

The College may require an employee to temporarily transfer to an available alternative position to meet the medical need of the employee to take intermittent leave or work on a reduced schedule as certified by the employee's health care provider. The employee must be qualified for the alternative position, which will have an equivalent rate of pay and benefits, but not necessarily equivalent job duties.

Any temporary transfer or other reasonable accommodation provided to an employee affected by pregnancy will not reduce the amount of pregnancy disability leave time the employee has available unless the temporary transfer or other reasonable accommodation involves a reduced work schedule or intermittent absences from work.

The length of the transfer or other accommodation will depend upon the period of time for which it is medically advisable.

Benefits

The College will maintain an employee's health insurance benefits during an employee's pregnancy disability leave for a period of up to four months (as defined above) on the same terms as they were provided prior to the leave time. If employees take additional time off following a pregnancy disability leave that qualifies as leave under the California Family Rights Act (CFRA) the College will continue their health insurance benefits for up to a maximum of 12 workweeks in a 12-month period.

In some instances, the College may recover premiums it paid to maintain health insurance benefits if an employee fails to return to work following pregnancy disability leave for reasons other than taking additional leave afforded by law or College policy or not returning due to circumstances beyond the employee's control.

Integration With Other Benefits

Pregnancy disability leaves and accommodations that require employees to work a reduced work schedule or to take time off from work intermittently are unpaid. Employees may use their accrued vacation, sick, or other paid time off (PTO) benefits during the unpaid leave of absence, if applicable. However, use of sick, vacation or other PTO benefits will not extend the available leave of absence time. During pregnancy disability leave, employees will continue to accrue seniority to the same extent and under the same conditions as would apply to any other unpaid disability leave provided for reasons other than pregnancy disability.

Any State Disability Insurance for which employees are eligible may be integrated with accrued vacation, sick leave, or other PTO benefits so that they do not receive more than 100 percent of their regular pay. Employees who will be out for more than 10 days are required to apply for CA SDI and may integrate SDI with other available vacation and sick leave

Reinstatement

If the employee and the College have agreed upon a definite date of return from the leave of absence or transfer, the employee will be reinstated on that date if they notify the College that they are able to return on

that date. If the length of the leave of absence or transfer has not been established, or if it differs from the original agreement, the employee will be returned to work within two business days, where feasible, after notifying the College of their readiness to return.

Before employees will be allowed to return to work in their regular job following a leave of absence or transfer, they must provide Human Resources with a certification from their health care provider that they can safely perform all of the essential duties of the position, with or without reasonable accommodation. If employees do not provide such a release prior to or upon reporting for work, they will be sent home until a release is provided. This time before the release is provided will be unpaid.

Employees will be returned to the same position upon the conclusion of their leave of absence or transfer unless the position ceases to exist. In cases where the employee's position no longer exists, the College will provide a comparable position on the scheduled return date or within 60 calendar days of that return date. However, employees will not be entitled to any greater right to reinstatement than if they had not taken the leave.

To the extent required by law, some extensions beyond an employee's pregnancy disability leave entitlement may be granted when the leave is necessitated by an employee's injury, illness, or "disability" as defined under the Americans with Disabilities Act and/or applicable state or local law.

The College will not discriminate or retaliate against employees because they request or make use of leave, a transfer, or other accommodations in accordance with this policy. This policy does not limit a pregnant employee's rights under any other policy or laws protecting gender, pregnancy and childbirth, or health conditions related to pregnancy or childbirth.

Employees who have questions about this policy or who wish to request leave, transfer, or other reasonable accommodation under this policy should contact Human Resources.

Military Leave (Active and Reserve Service)

In addition to the federal protections included in the College's Handbook, employees in California who serve in the military are entitled to the rights and protections set forth in the California Military and Veteran's Code. Employees who are members of the National Guard or United States Reserve will be granted a temporary leave of absence without pay while engaged in military duty ordered for purposes of military training, drills, encampment, naval cruises, and special exercises or like activities. This leave is not to exceed 17 calendar days annually, including time involved in going to and returning from such duty. Collateral benefits will not be restricted or terminated because of an employee's temporary incapacity as a result of the employee's duty in the National Guard, Naval Militia, State Military Reserve or federal reserve components of the United States Armed Forces, if the employee is ordered to duty or training for 52 weeks or less. Similarly, employees who are members of the state Military Reserve will be granted a temporary leave of absence without pay while engaged in military duty for purposes of military training, drills, unit training assemblies, or similar inactive duty training. This leave is not to exceed 15 calendar days annually, including time involved in going to and returning from that duty.

Employees who are members of California's National Guard or the National Guards of other states will be entitled to reinstatement upon return from a military leave for active service, so long as certain conditions are met. Employees returning from leave who were full-time employees will be restored to the same position or to a position of similar seniority, status, and pay unless the College's circumstances have so changed as to make it impossible or unreasonable to do so, and part-time employees will be restored to the same position or to a position of similar seniority, status, and pay, if any exists, so long as:

- The employee is an officer or enlisted member of the National Guard of any state;
- The employee was called to active duty by the Governor of the state in which the employee serves in the National Guard or by the President of the United States;
- The employee received a certificate of satisfactory service in the National Guard;
- The employee is still qualified to perform the duties of the position;
- If the employee left a full-time position, they applied for reemployment within 40 days of being released from service; or, if the employee left part-time employment, they applied for reemployment within five days of being released from service; and
- The employee's position was not temporary.

For one year following reemployment, the College will not discharge the employee without cause.

The College will not discriminate against members of the military or naval services of California or the federal reserve component of the United States Armed Forces. If the proper authority calls upon an employee to perform military service or duty or attend a military encampment or place of drill or instruction, the College will not hinder or prevent the employee from performing that service.

Family Military Leave

Employees may take up to 10 days of unpaid leave if they work an average of 20 or more hours per week and their spouse is on leave from deployment as a member of: (1) the Armed Forces of the United States deployed to an area of military conflict designated as a combat theater or combat zone by the President of the United States; or (2) the National Guard or Reserves deployed during a period of military conflict. For purposes of this policy, "military conflict" includes "a period of war declared by the United States Congress" or a period of deployment for which a member of the Reserves is ordered to active duty either by the Governor or the President of the United States.

Employees must provide the College with notice of their intention to take leave within two business days of receiving official notice that their spouse will be on leave from deployment. The College may also request that employees submit written documentation certifying that their spouse will be on military leave from deployment during the time of the requested leave.

Eligible employees may use all available accrued paid leave, such as vacation and paid time off, during a period of unpaid family military leave. Leave taken under this policy will not affect an employee's right to any other benefits.

The College will not discriminate against, or tolerate discrimination against, any employee who requests and/or takes leave under this policy.

Emergency Responder Leave

The College will not terminate or discipline any employee who is a volunteer firefighter, reserve peace officer, or emergency rescue personnel because the employee takes time off to perform emergency duty or engages in fire, law enforcement, or emergency rescue training. In the event you need to take time off for this type of emergency duty, please alert your supervisor or before leaving the College's premises.

A "volunteer firefighter" includes any person registered as a volunteer member of a regularly organized fire department of a city, county, city and county, or district having official recognition of the government of the city, county, or district in which the department is located; or a regularly organized fire department of an unincorporated town.

"Emergency rescue personnel" includes any volunteer or paid officers, employees, or members of a fire department or fire protection or firefighting agency who perform first aid and medical services, rescue procedures, and transportation or other related activities necessary to insure the health or safety of a person in immediate danger. Such personnel include those who work for the: (1) federal or state government; (2) city, county, city and county, district, or other public or municipal corporation or political subdivision of this state; (3) sheriff's department, police department or private fire department; or (4) disaster medical response entity sponsored or requested by the state.

Employees who are health care providers must promptly notify the College if they become designated as emergency response personnel and when they are notified that they will be deployed in their capacity as emergency response personnel.]

Employees will also be allowed up to 14 calendar days of leave per year to engage in fire, law enforcement, or emergency rescue training.

All time off taken under this policy is unpaid, except that exempt employees will be paid when required under applicable law.

Civil Air Patrol Leave

The College will not terminate or discriminate against an employee who is a volunteer member of the Civil Air Patrol or prevent a member from performing service as part of the California Wing of the Civil Air Patrol during an emergency operational mission. Additionally, the College will not retaliate against an employee for requesting or taking Civil Air Patrol leave in accordance with this policy.

The College will provide eligible employees with up to 10 days per year of leave, but no more than three days at a time, unless the emergency is extended by the entity in charge of the operation and the College approves

the extension. To be eligible for leave, employees must have been employed by the College for at least 90 days immediately preceding the start of the leave, and must be duly directed and authorized by a political entity that has the authority to authorize an emergency operational mission of the California Wing of the Civil Air Patrol.

Employees must request leave with as much notice as possible. The College may require certification from the proper Civil Air Patrol authority to verify an employee's eligibility for leave. The College may deny leave if the employee fails to provide the required certification.

Leave taken under this policy is unpaid except that exempt employees will be paid when required by applicable law. Employees will not be required to exhaust accrued vacation or sick leave or any other type of accrued leave prior to taking unpaid civil air patrol leave, but may choose to use such benefits during leave to receive pay.

Following leave, an employee must return to work as soon as practicable and must provide evidence of the satisfactory completion of Civil Air Patrol service. If the employee complies with these requirements, the employee will be restored to their prior position without loss of status, pay, or other benefits.

Bone Marrow Donor Leave

Eligible employees who undergo a medically necessary procedure to donate bone marrow to another person will be provided with five workdays off in any one-year period, without a loss in pay. For purposes of this policy, a "one-year period" is 12 consecutive months from the date the employee begins their leave. Employees may take leave in one or more periods, as long as the leave does not exceed five days in any one-year period.

Employees are eligible for leave if they have worked for the College for at least 90 continuous days prior to the start of their leave.

Employees who seek leave under this policy must provide verification from a physician detailing the purpose and length of leave, including the medical necessity for the donation.

Employees must use all available accrued sick or vacation time concurrently with this time off. If an employee does not have enough earned sick or vacation time to cover the leave period, the remaining days of leave will be paid by the College. Use of this leave will not be counted against any available leave under the federal Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA), if applicable. Leave under this policy is also not considered a break in service for purposes of salary adjustments, sick leave, vacation, PTO, annual leave, or seniority.

While on bone marrow donor leave, the College will maintain all group health insurance benefits as if the employee was still at work. In most circumstances, upon return from this leave, an employee will be reinstated to their original job or to an equivalent job with equivalent pay, benefits and other employment terms and conditions. However, an employee has no greater right to reinstatement than if the employee did not take a leave. For example, if an employee on bone marrow donor leave would have been laid off had they not taken a

leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement.

The College will not retaliate or tolerate retaliation against any employee for requesting or taking bone marrow donor leave in accordance with this policy.

Organ Donor Leave

Eligible employees who undergo a medically necessary procedure to donate an organ to another person will be provided with up to 30 workdays off, without a loss in pay, and an additional 30 workdays off without pay, in any one-year period. For purposes of this policy, a "one-year period" is 12 consecutive months from the date the employee begins their leave. Employees may take leave in one or more periods, as long as the leave does not exceed 60 days in any one-year period.

Employees are eligible for leave if they have worked for the College for at least 90 continuous days prior to the start of their leave.

Employees who seek leave under this policy must provide verification from a physician detailing the purpose and length of leave, including the medical necessity for the donation.

Employees may use all available accrued sick or vacation time concurrently with this time off. Any remaining days of paid leave will be paid by the College, up to 30 workdays. Use of this leave will not be counted against any available leave under the federal Family and Medical Leave Act (FMLA) or the California Family Rights Act (CFRA), if applicable. Leave under this policy is also not considered a break in service for purposes of salary adjustments, sick leave, vacation, PTO, annual leave, or seniority.

While on organ donor leave, the College will maintain all group health insurance benefits as if the employee was still at work. In most circumstances, upon return from this leave, an employee will be reinstated to their original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if the employee did not take a leave. For example, if an employee on organ donor leave would have been laid off had they not taken a leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement.

The College will not retaliate or tolerate retaliation against any employee for requesting or taking organ donor leave in accordance with this policy.

Personal and Professional Development Leave

An unpaid leave is an authorized absence without pay for up to 12 months and may be granted to regular employees to meet unusual situations or special circumstances. Unpaid leaves will only be approved if the supervisor is convinced that there will be no significant adverse effect on the department. Unpaid leaves for

personal and professional development purposes are rare because an absence from work for an extended period of time often causes hardship for others in the department.

An employee, with the support of their supervisor, may submit a proposal to their vice president for an unpaid leave. Proposals for professional development leaves must reflect values supportive of the mission of the college and identify the ways in which the leave will enable the employee to be more effective in the current position upon their return.

Unpaid leaves for personal or professional development purposes will be considered based upon the following limitations:

- Only regular employees who have been employed a year or more are eligible for unpaid leave in excess of one week.
- Accrued vacation days must first be used.
- The college will reinstate an employee who returns from an unpaid leave to the position they occupied prior to the leave, if it continues to exist. The employee must personally notify their supervisor at least one month prior to the date that they plan to return to work.
- Employment will automatically terminate upon expiration of an unpaid leave if the employee has not notified the college of their readiness to return to work.
- The college will not make contributions to the retirement plan or FICA, as leaves are unpaid.
- Paid time-off benefits will not accrue during periods of unpaid leave.

An employee on an unpaid personal leave will continue to be eligible to participate in benefit programs of the college. To the extent allowed by law, the insurance carrier, and institutional policies, insured benefits (e.g. medical, dental, life, long-term disability) will continue to be available if the employee pays the entire premium for such benefits. Workers' Compensation Insurance coverage is suspended during unpaid leaves of absence.

An employee on an unpaid professional development leave continues to be eligible to participate in benefit programs of the college. To the extent allowed by law, the insurance carrier, and institutional policies, insured benefits (e.g. medical, dental, life, long-term disability) and education assistance benefits will continue to be provided under the normal conditions established for all regular employees. An employee granted a professional development leave must agree to return to the college for a period of one full year after returning from leave. If such service is not completed, all college contributions to benefits during the professional development leave are to be repaid to the college by the employee upon separation.

Workers' Compensation Disability Leave

Workers' Compensation Disability Leave will be granted to employees with occupational illnesses or injuries who cannot be reasonably accommodated with modified work assignments in accordance with state law. Leave taken under the Worker's Compensation Disability policy runs concurrently with Family and Medical leave under both federal and state laws and will be counted as a medical leave if the injury qualifies as a serious health condition.

Notice and Certification Requirements

Employees must report all accidents, injuries, and illnesses no matter how small to their immediate supervisor. In addition, employees must provide the college with certification from a health care provider of the treatment received.

Compensation During Leave

Workers' Compensation Disability Leaves are without pay. However, employees may use accrued vacation and/or sick leave during the leave. All such payments will be coordinated with any Workers' Compensation temporary disability or other wage reimbursement benefits for which the employee is eligible. At no time shall an employee receive more net pay from all sources than the employee's regular net pay.

Benefits During Leave

If the employee taking Workers' Compensation Disability Leave is eligible under the Federal or State Family and Medical Leave Law, the college will maintain group health insurance coverage in accordance with applicable state and federal law.

Reinstatement

Upon submission of a medical certification that the employee is able to return to work, the employee will be offered the same position held immediately prior to the leave, unless the position no longer exists or the position has been filled in order to avoid diminishing the college's ability to operate safely and efficiently, or the employee is no longer capable of performing the essential job responsibilities. If the employee's former position is not available, a substantially similar position will be offered unless there is no substantially similar position available, or filling the available position would substantially diminish the college's ability to operate safely and efficiently, or the employee is not capable of performing the job responsibilities of a substantially similar position. If an employee returning from Workers' Compensation Disability Leave is unable to perform the essential functions of the job because of a physical or mental condition, the Americans with Disabilities Act may govern the College's obligation to that employee.

Westmont will consider accommodating employees with a work-related injury or illness that prevents them from performing full regular duties by considering the provision of temporary transitional work within the employee's medical restrictions. Accommodation will be considered on a case-by-case basis subject to an evaluation of the individual's restrictions and job capabilities. There is no guarantee that a transitional work assignment will be offered. The supervising physician will make the determination of appropriate work in cooperation with Westmont supervision. The duration of temporary transitional work will not exceed 90 days.

Bereavement Leave

Eligible employees may take up to five days of bereavement leave for the death of a spouse, child, parent, parent-in-law, sibling, grandparent, or grandchild. To be eligible for bereavement leave, employees must have been employed by the College for at least 30 days immediately preceding the start of the leave. Bereavement leave days need not be taken consecutively, but bereavement leave must be completed within three months of the date of death of the family member. Bereavement leave is separate from and provided in addition to other legally protected leaves, including leave provided under the California Family Rights Act. Bereavement leave provides pay for up to three days; if the employee takes additional time, the employee may use accrued vacation or sick leave that is otherwise available to the employee.

If the College requests documentation of the death of the family member, documentation must be provided within 30 days of the first day of the leave. Acceptable documentation includes, but is not limited to, a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or governmental agency. Such documentation will be maintained as confidential and will not be disclosed except to internal personnel or counsel, as necessary, or as required by law.

The College will not refuse to hire or discharge, demote, fine, suspend, expel, or discriminate against an individual because the individual exercised the right to bereavement leave provided by this policy or gave information or testimony as to their own bereavement leave, or another person's bereavement leave, in an inquiry or proceeding related to rights guaranteed under California's bereavement leave law. Further, the College will not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under California's bereavement leave law. Bereavement leave should be recorded in UKG.

Reproductive Loss Leave

Eligible employees may take up to five days of reproductive loss leave following a reproductive loss event. To be eligible for leave, employees must have been employed by the College for at least 30 days immediately preceding the start of the leave. An employee who experiences more than one reproductive loss event within a 12-month period may take a total of 20 days of reproductive loss leave within a 12-month period.

For purposes of this policy, a reproductive loss event is defined as the following:

- Failed adoption, meaning the dissolution or breach of an adoption agreement with the birth mother or legal guardian, or an adoption that is not finalized because it is contested by another party, where the employee would have been a parent of the adoptee if the adoption had been completed.
- Failed surrogacy, meaning the dissolution or breach of a surrogacy agreement, or a failed embryo transfer to the surrogate, where the employee would have been a parent of a child born as a result of the surrogacy.
- Miscarriage by the employee, the employee's current spouse, or another individual where the employee would have been a parent of a child born as a result of the pregnancy.

- Stillbirth resulting from the pregnancy of the employee, the employee's current spouse or another individual where the employee would have been a parent of a child born as a result of the pregnancy.
- Unsuccessful assisted reproduction, which is defined as an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure for the employee, the employee's current spouse, or another individual where the employee would have been a parent of a child born as a result of the pregnancy.

Reproductive loss leave days need not be taken consecutively but generally must be completed within three months of the reproductive loss event. For a reproductive loss event that spans multiple days, the event is deemed to occur on the final day of the event. If an employee is on, or chooses to go on, a leave of absence under state or federal law (including California Family Rights Act leave or pregnancy disability leave), either prior to or immediately following a reproductive loss event, the employee must complete reproductive loss leave within three months of the end date of the other leave.

Reproductive loss leave is unpaid. An employee may use vacation, accrued and available sick leave.

The College will maintain the confidentiality of any employee requesting reproductive loss leave. Any information provided to the College regarding reproductive loss leave will be maintained as confidential and will not be disclosed except to internal personnel or counsel, as necessary, or as required by law.

The College will not refuse to hire or discharge, demote, fine, suspend, expel, or discriminate against an individual because the individual exercised the right to reproductive loss leave provided by this policy or gave information or testimony as to their own reproductive loss leave, or another person's reproductive loss leave, in an inquiry or proceeding related to rights guaranteed under California's reproductive loss leave law. Further, the College will not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under California's reproductive loss leave law.

Jury Duty and Witness Duty

The College encourages all employees to fulfill their civic responsibilities and to respond to jury service summonses or subpoenas, attend court for prospective jury service, or serve as a juror or witness under court order. Under no circumstances will employees be terminated, coerced, or penalized because they request or take leave in accordance with this policy.

Employees must notify their supervisor with notice of any jury summons or subpoena or court order within a reasonable time after receipt and before their appearance is required. Verification from the court clerk of having served or appeared may be required.

Time spent engaged in attending court for prospective jury service or for serving as a juror or witness is not compensable except that exempt employees will not incur any reduction in pay for partial week's absence due to jury or witness duty. Regular employees are eligible to receive full pay for the time they are called and required to serve on a jury, up to 80 hours per trial. Employees should provide a copy of the "Confirmation of Appearance" to their supervisor as soon as it is received and include it with their timecard so the employee's

absence can be accommodated. Employees may retain any mileage allowance or other fees paid for the jury or witness duty.

Any employee on jury or witness duty is expected to report or return to work for the remainder of the work schedule when dismissed from jury or witness duty.

Leave for Victims of Violence

Westmont College will provide time off to any employee who is a victim so that the employee may obtain or attempt to obtain relief.

Definitions for Purposes of this Policy

- **“Victim”** means an individual against whom a qualifying act of violence is committed.
- **“Qualifying act of violence”** means domestic violence, sexual assault, stalking, or an act, conduct, or pattern of conduct in which a third party causes bodily injury or death to another individual; exhibits, draws, brandishes, or uses a firearm, or other dangerous weapon, with respect to another individual; or uses, or makes a reasonably perceived or actual threat to use, force against another individual to cause physical injury or death.
- **“Relief”** includes, but is not limited to, a temporary restraining order, restraining order or other injunctive relief to help ensure the health, safety, or welfare of the employee or the employee’s family member.
- **“Family member”** means the employee’s child, parent, grandparent, grandchild, sibling, spouse, or designated person.
- **“Designated person”** means an individual identified by the employee at the time the employee requests leave who is related to the employee by blood or whose association with the employee is the equivalent of a family relationship. Employees are limited to one designated person per 12-month period.

Any employee against whom any crime has been committed will also be permitted time off to appear in court to comply with a subpoena or other court order as a witness in a judicial proceeding.

Employees should give the College reasonable notice of the need for leave, unless advance notice is not feasible. When an unscheduled absence occurs, the College may require the employee to provide written certification of the need for time off. Any of the following will be considered sufficient certification: a police report indicating the employee or the employee’s family member was a victim; a court order protecting or separating the employee or the employee’s family member from the perpetrator of the qualifying act of violence, or other evidence from a court or prosecuting attorney that the employee or the employee’s family member has appeared in court; documentation from a licensed medical professional, domestic violence counselor, sexual assault counselor, victim advocate, licensed health care provider, or counselor that the employee or the employee’s family member was undergoing treatment or seeking or receiving services directly related to the qualifying act of violence; or any other form of documentation that reasonably verifies that the qualifying act of violence occurred, including but not limited to, a written statement signed by the employee, or an individual acting on the employee’s behalf, certifying that the absence is for an authorized purpose.

Additionally, an employee who is a victim or has a family member who is a victim may take time off for any of the following reasons:

- to seek or obtain, or assist a family member to seek or obtain, medical attention for injuries caused by a qualifying act of violence;
- to seek or obtain, or assist a family member to seek or obtain, services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of a qualifying act of violence;
- to seek or obtain, or assist a family member to seek or obtain, psychological counseling or mental health services related to an experience of a qualifying act of violence;
- to participate in safety planning and take other actions to increase safety from future qualifying acts of violence;
- to relocate or engage in the process of securing a new residence due to the qualifying act of violence (this includes securing temporary or permanent housing or enrolling children in a new school or child care);
- to provide care to a family member who is recovering from injuries caused by a qualifying act of violence;
- to seek or obtain, or assist a family member to seek or obtain, civil or criminal legal services in relation to the qualifying act of violence;
- to prepare for, participate in, or attend any civil, administrative, or criminal legal proceeding related to the qualifying act of violence; and
- to seek, obtain, or provide child care or care to a care-dependent adult if the child care or care is necessary to ensure the safety of the child or dependent adult as a result of the qualifying act of violence.

If the reason for the leave is also covered by the federal Family and Medical Leave Act (FMLA) and/or the California Family Rights Act (CFRA), the leave pursuant to this policy and FMLA/CFRA will run concurrently. The total length of leave under this policy is limited to 12 weeks.

Additionally, if an employee's family member is a victim who is not deceased as a result of crime, and the employee is not a victim: leave under this policy to relocate or engage in the process of securing a new residence is limited to five days; and total leave for any reason under this policy is limited to 10 days.

Employees may use accrued vacation time in order to receive compensation during the leave of absence.

Employees may also be entitled to a reasonable accommodation under the College's Accommodation for Victims of Violence policy and to additional leave under the College's Leave to Attend Judicial Proceedings Related to Certain Felonies policy and Leave to Attend Court Proceedings for Serious Crimes policy. Employees should consult those policies and/or Human Resources for additional information.

The College will keep all information submitted in connection with an employee's request for leave confidential to the extent permissible by law. If the law requires disclosure of information, the College will notify the employee before any information is released.

The College will not discriminate or retaliate against any employee because of the employee's or the employee's family member's status as a victim, if the employee provides the College notice of such status, the College has actual knowledge of such status, or the employee takes or requests leave in accordance with this policy.

Leave to attend Judicial Proceedings Related to Certain Felonies

Westmont College prohibits discrimination against an employee who wishes to take time off from work to attend judicial proceedings related to certain violent, serious or theft/embezzlement related felonies committed against the employee, or the employee's immediate family member.

"Immediate family member" is defined as an employee's spouse, child, stepchild, brother, stepbrother, sister, stepsister, mother, stepmother, father or stepfather.

Before an employee may be absent from work to attend a judicial proceeding, the employee must give the employer a copy of the notice of each scheduled proceeding that is provided to the victim by the agency responsible for providing notice, unless advance notice is not feasible. When advance notice is not feasible or an unscheduled absence occurs, the employee must provide within reasonable time documentation evidencing the judicial proceeding from (1) the court or government agency setting the hearing; (2) the district attorney or prosecuting attorney's office; or (3) the victim/witness office that is advocating on behalf of the victim.

Confidentiality of the situation, including an employee's request for the time off, will be maintained to the greatest extent possible.

Employees may use accrued vacation time in order to receive compensation during the time taken off from work.

Leave To Attend Court Proceedings for Serious Crimes

Westmont College prohibits discrimination against an employee who is a victim of certain serious criminal offenses and wishes to take time off to appear in court to be heard at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, or post-conviction release decision or any proceeding in which a right of the victim is at issue.

A "victim" means any employee who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a serious criminal offense. The term "victim" also includes the employee's spouse, parent, child, sibling, or guardian.

Before employees may take time off under this policy, they must provide the College with reasonable advance notice of their intention to take time off, unless the advance notice is not feasible. If an employee must take an unscheduled absence due to victimization from a serious criminal offense, the employee must provide the College with a certification within a reasonable time. The types of certification to account for an unscheduled

absence include: a police report indicating the employee was a victim of one of the specified serious criminal offenses; a court order protecting or separating the employee from the perpetrator of one or more of the specified offenses, or other evidence from the court or prosecuting attorney that the employee has appeared in court; or documentation from a medical professional, domestic violence counselor, or advocate for victims of sexual assault, health care provider, or counselor that the employee was undergoing treatment for physical or mental injuries resulting in victimization from one of the specific serious criminal offenses.

Confidentiality of the situation, including an employee's request for the time off, will be maintained to the greatest extent possible.

Employees may use accrued vacation time or sick leave, in order to receive compensation during the time taken off from work.

Time Off to Vote

The College encourages all employees to fulfill their civic responsibilities and to vote in official public elections. Most employees' schedules provide sufficient time to vote either before or after working hours.

Any employees who do not have sufficient time outside of working hours to vote in a statewide public election, while the polls are open, may take up to two hours off from work, without loss of pay. Any additional time off will be without pay. Employees must take the time off at the beginning or end of their regular work schedule, whichever allows the greatest amount of free time for voting and the least amount of time off from work, unless mutually agreed otherwise.

Employees must provide at least two working days' notice of the need for leave when, on the third working day prior to the election day, the employee knows or has reason to believe they will need time off to vote on election day. Otherwise, employees must give reasonable notice of the need to have time off to vote.

Election Officer Leave

The College will not terminate, suspend or otherwise discriminate against employees who miss work to serve as an election officer on Election Day.

Time off under this policy will be unpaid.

The College asks that employees provide reasonable advance notice of the need for time off to serve as an election official, so that the time off can be scheduled to minimize disruption to normal work schedules.

Proof of having served as an election official may be required.

School or Child Care Activities Leave

An employee who is a parent to one or more children who are the age to attend a licensed child care provider, kindergarten, or grades one through 12 may take up to 40 hours of leave per school year to participate in any of the following:

- Finding, enrolling or reenrolling the child in a school or with a licensed child care provider;
- Participating in school or child care-related activities; or
- Addressing a child care provider or school emergency.
- “Parent” includes parent, guardian, stepparent, foster parent, grandparent, and persons who stand in loco parentis (in place of a parent) to a child.

Time off for reasons other than a child care provider or school emergency is limited to eight hours per calendar month. Child care provider or school emergencies occur when the child cannot remain in school or with a child care provider due to one of the following:

- The school or child care provider has requested that the child be picked up or has an attendance policy (excluding planned holidays) that prohibits the child from attending or requires that the child be picked up from school or child care;
- Behavioral or discipline problems;
- Closure or unexpected unavailability of the school or child care provider (excluding planned holidays);
- A natural disaster (e.g., fire, earthquake, or flood).

Employees wishing to take time off for a planned absence (e.g., to participate in scheduled school or child care provider activities or enroll a child in school or with a child care provider), must provide reasonable advance notice to their supervisor. Employees needing time off to address a child care provider or school emergency must provide notice to their supervisor as soon as practicable.

The College may require employees to provide documentation from the school or child care provider verifying that the employee participated in the school or child care activity, including the date and time of the activity.

Employees must substitute any existing vacation time for any part of this leave. Employees who do not have vacation time available will be allowed time off without pay.

School Discipline Leave

Employees who are the parent or custodial guardian of a child in kindergarten or grades one through 12 may take time off when required, in accordance with California law, to attend a portion of a school day in the classroom of their child or ward because that child has been suspended.

To be eligible for leave, the employee must provide advance notice that their appearance at the school has been requested. The College may require employees to provide documentation, including a copy of the school's notice or some other certification stating that the employee's presence at the school is mandatory.

Employees wishing to take such leave may use their existing vacation time.

School visits for other purposes may be covered under the College's School or Day Care Activities Leave policy.

The College will not discharge, threaten, demote, suspend, or in any other manner discriminate against an employee because they take time off to appear at the school of their child or ward in accordance with this policy.

6.6 Requesting and Reporting Time Off

Sick and other paid leave should be requested and reported via UKG for all staff.

6.7 Insurance Benefits

The college is pleased to provide the following brief descriptions of our employee benefits. Detailed descriptions are available in each benefit Summary Plan Description (SPD). The descriptions of benefits in this summary are not all-inclusive. The benefits insurance contracts and materials are the authoritative reference (visit the [Benefits page](#) for more information).

Medical Insurance

The college offers a choice of two HMO (Health Maintenance Organization) plans and a preferred provider (HSA/PPO) plan. Coverage for eligible employees will be effective immediately upon the first day of employment. The college pays a portion of the premium for the HMO plans for the employee, and shares the cost of premiums for dependent coverage for regular employees who work at least 30 hours per week. The employee's portion is paid via payroll deduction. For more details on the plans and premiums, please visit the [Benefits page](#) on the my.westmont.edu portal.

Dental Insurance

Westmont offers two dental programs in which eligible employees and their dependents may participate. Coverage for eligible employees will be effective immediately upon the first day of employment. The college pays 100% of the premium for the HMO dental plan for regular full-time employees and contributes this amount toward the cost of the other plan. Employees pay any additional premium for their own dental coverage or coverage for their dependents through payroll deduction. Regular part-time employees are eligible to participate in any of the plans by paying a minimum of one-half the cost for their own coverage and the full

cost of dependent coverage through payroll deduction. For more details on the plans and premiums, please visit the [Benefits page](#) on the my.westmont.edu portal.

Vision

The college offers vision benefits for eligible employees (those that work more than 30 hours per week). Coverage for eligible employees will be effective immediately upon the first day of employment. The college pays 100% of the premium for vision coverage for employees, and shares the cost of premiums for dependent coverage. The employee's portion is paid via payroll deduction. For more details on the plan and premiums, please visit the [benefits page](#) on the my.westmont.edu portal.

Long-Term Disability Insurance

The college provides long-term disability insurance for each regular full-time employee from the first day of employment. The college pays the entire premium for this coverage. This insurance provides partial salary continuation should an eligible employee become unable to work for more than three months as a result of a total disability. The plan also provides a monthly contribution to the employee's retirement plan for the duration of the active claim. Details about this benefit are available in the Human Resources office.

State Disability Insurance Benefits

California State Disability Insurance (SDI) benefits are based upon earnings and begin on the eighth day of disability for a non-work-related injury or illness. This benefit is state-mandated and paid by employees through payroll taxes. SDI assists eligible employees by paying a portion of lost earnings. Employees must apply directly to the state for this benefit. See section [6.4 Sick Leave Benefits](#) for information about coordinating SDI benefits with available sick leave.

Life Insurance; Supplemental Life Insurance

The college provides life insurance coverage for each regular full-time employee from the first day of employment. The amount of insurance coverage for employees who are less than 65 years of age is equal to their annual base pay rounded up to the next \$1,000. For employees 65 or older, the amount of coverage is equal to 67 percent of their annual pay rounded up to the next \$1,000.

Supplemental life insurance is available for benefits eligible employees and/or their dependents. Employees may purchase this coverage through payroll deduction. For more details on the plan and premiums, please visit the [benefits page](#) on the my.westmont.edu portal.

Travel Accident Insurance

The college provides travel accident insurance for each regular full-time employee from the first day of employment. The college pays the entire premium for this coverage. The policy provides a \$25,000 accidental

death benefit and lesser amounts for loss of sight or dismemberment. This coverage provides 24-hour worldwide protection for eligible employees while they are traveling on college business.

6.8 Flexible Spending Account (FSA): Healthcare and Dependent Care Expenses

Westmont offers an FSA to enable employees to set aside a portion of their pay before income taxes to pay for eligible out-of-pocket expenses. Through this benefit, the employee's portion of medical and dental insurance premiums, dependent care expenses, and un-reimbursed medical and dental expenses may be paid with pre-tax dollars. Details about this benefit are available in the Human Resources office. For more details on the plan and premiums, please visit the benefits page on the my.westmont.edu portal.

6.9 Education Assistance Benefits for Employee, Spouse and Dependents

The college offers education assistance for regular full-time employees (defined as those who are scheduled to work at least 1560 hours per year), their spouses, and their dependent children. In addition, the benefits for employees and their spouses are available to retirees and their spouses. This benefit may provide a full or partial waiver of tuition at Westmont and other selected colleges and universities. Employees are eligible for education assistance benefits beginning with the next semester following the date of hire. Employees who are on sabbaticals or other paid leaves of absence continue to be eligible for the benefit.

If a dependent of an employee is receiving the education assistance benefit at the time the employee dies or becomes totally and permanently disabled, the dependent will continue to receive the benefit for the remainder of the current semester plus the same level of benefit for the following three semesters. If an employee with 10 or more years of continuous service at Westmont dies or is totally and permanently disabled, and the education assistance benefit is not being used at the time, the spouse and dependent children of the employee will remain eligible for four semesters of education assistance benefits if they begin using the benefit within two years of the date of the employee's death or disability.

Employees who want to use this benefit for themselves or their dependents at Westmont or another college must complete an Education Benefit Request via my.westmont.edu.

Employees

[Regular full-time employees](#) are eligible to enroll in one on-campus course per semester and one course during on-campus Mayterm with no tuition charge. If the class is held during the normal work day, the employee's supervisor must approve the flexible work schedule based on the needs of the department. Full-time students have preference for class enrollment. Employees are responsible for paying all charges other than tuition. This benefit does not apply to private lessons, independent studies, and tutorials. A reduced benefit is available for on-campus Mayterm classes with less than eight tuition-paying students. Employees must first complete

an [Education Benefit Request](#) form. Second, employees must complete a [Non Matriculate Application Form](#) with the Student Records office.

Spouses

Spouses of regular full-time employees are eligible to enroll in one on-campus course per semester and two courses during on-campus Mayterm with no tuition charge. Full-time students have preference for class enrollment. Due to limitations imposed by the County of Santa Barbara, no more than five spouses may enroll in classes for credit in any regular semester. However, there is no limit to the number who may audit classes. Employees are responsible for paying all charges other than tuition. This benefit does not apply to private lessons, independent studies, and tutorials. A reduced benefit is available for on-campus Mayterm classes with less than eight tuition-paying students. Employees must first complete an Education Benefit Request form for their spouse.

Dependent Children Enrolled at Other Colleges:

Education assistance benefits are also available at many other colleges and universities. The benefits are not, however, subject to the same restrictions on eligibility for Westmont tuition remission. In addition, each program and participating institution has its own conditions that must be satisfied. The number of opportunities may vary from year to year and the admission requirements of the other schools must be met. Westmont participates in the Christian College Consortium (CCC) program, the Council for Christian Colleges and Universities (CCCCU) program, and the Tuition Exchange (TE) program. Information and application for all three programs (CCC, CCCC, and TE) can be obtained from the Provost's Office. Tuition Exchange covers Fall and Spring Semesters only, and if awarded, will be renewed each year the employee remains at Westmont. Applications for these programs are accepted between September and January of the year preceding enrollment, and decisions are typically made by mid-March. The Provost's Office sends out information in September of each year on these programs with a call to apply. Interested prospective students should contact the Provost's Office at least one year before anticipated enrollment in order to understand the procedures, prospects for an exchange, deadlines, etc. Information and application for all three programs (CCC, CCCC, and TE) can be obtained from the Provost office.

Dependent Children Enrolled at Westmont:

Education assistance benefits are available to regular full-time employees for their children who meet the IRS definition of dependent children. The benefit can be used for up to eight regular semesters or off-campus Mayterm classes per eligible dependent, and an unlimited number of on-campus Mayterms until a first bachelor's degree is earned. Off-campus Mayterm programs count as a regular semester. A reduced benefit is available for on-campus Mayterm classes with less than eight tuition-paying students. All regular admissions requirements must be met. This benefit does not apply to overloads, private lessons, fees, or tutoring. This benefit applies only to the first bachelor's degree obtained through the traditional undergraduate program. Employees must complete an Education Benefit Request form via my.westmont.edu.

The education assistance benefit for dependents for regular semesters and off-campus Mayterm programs is equal to:

| Completed service⁵ <i>(prior to beginning of semester)</i> | Benefit |
|---|-----------------|
| Less than 4 years | None |
| 4 years | 25% of tuition |
| 5 years | 50% of tuition |
| 6 years | 75% of tuition |
| 7 years | 100% of tuition |

Eligibility for this benefit is dependent on the employee completing 7 years of full-time continuous service, immediately prior to their dependent child utilizing the benefit. Previous years of service at Westmont with more than a one year break in service (see section [3.8 Break in Service Policy](#)) do not count towards this benefit. Part-time employment does not count towards this benefit.

Employees are responsible for paying all charges other than tuition.

Dependent children are required to apply for a Cal Grant through the financial aid office prior to March 1 in order to be eligible for education assistance benefits for the following fall semester. If a Cal Grant is awarded, the education assistance benefit will be the difference between the Cal Grant and the scheduled education assistance benefit. Failure to make application will result in the reduction of the benefit by an amount equal to the maximum Cal Grant. Students may retain all scholarships, grants, and aid with no reduction of the education assistance benefit as long as the total amount does not exceed tuition. All financial aid must be reported to the financial aid office.

⁵ Full-time employment at other institutions of higher education immediately prior to beginning full-time employment at Westmont will be credited as service in qualifying for the education assistance benefits for dependent children.

6.10 Retirement Plan Benefits

All non-student employees are eligible to participate in the college's 403(b) retirement plan. Employees who have reached the age of 26 and meet the service criteria of 1000 hours worked in one year will be eligible to receive a pre-tax matching contribution from the college of up to seven percent of base pay, based on the employee's personal pre-tax contribution of up to three percent of base pay. The 1000 hours of service waiting period will be waived for those who have been employed for at least 1000 hours in one year by another institution of higher education immediately prior to employment at Westmont. Details about this benefit are available on the benefits page at my.westmont.edu.

6.11 Insurance Benefits for Retirees

For the purposes of this benefit, a retiree is a former regular employee, age 62 or more, with at least 10 consecutive years of service at the time of separation from employment. Medical insurance coverage for retirees is as follows:

- Retirees who are at least age 62, but less than age 65, at time of retirement may elect to continue participation in the college's group medical plan until age 65 under certain conditions.
- Retirees who are age 65 or more at retirement or who attain the age of 65 are no longer eligible for group medical plan coverage from the insurance providers. If retirees choose to purchase an individual medical plan, such as a Medicare supplement plan, the college will reimburse them for the actual cost of the medical coverage up to the maximum contribution established by the college. Eligibility for group dental insurance, group life insurance, short-term and long-term disability insurance, travel insurance, the employee assistance program, and the Pre-Tax Health and Dependent Care Expense Plan will cease upon retirement. Some coverages may be COBRA eligible.

Details about this benefit are available in the Human Resources office.

CHAPTER SEVEN: EMPLOYEE RECOGNITION

Westmont encourages all employees, especially supervisors, to seek out opportunities to honor employees for their accomplishments. A "Thank you" in one form or another is a simple gesture with greater impact than we might typically expect because it makes it clear that one person cares enough about another to recognize and acknowledge their accomplishment. For certain exceptional accomplishments, there are campus-wide recognition programs.

7.1 Employee of the Year Awards

A highlight of the Staff Recognition Program is the presentation of Employee of the Year awards at the annual Faculty/Staff Appreciation event each spring. Many years ago, Bruce Bare, a trustee emeritus of the college, instituted the Adaline and Bruce Bare Employee of the Year award as a means of recognizing the significant contributions made by staff members to the college. A committee of former honorees and the Executive Team selects award recipients. The awards are presented at the annual Faculty/Staff Appreciation luncheon hosted by the President. Faculty and staff who reach certain service milestones and those retiring from the college are also honored at this event with gifts presented by the Executive Team.

7.2 Special Recognition Awards

An ongoing program of special recognition awards provides each vice president the opportunity to recognize deserving employees any time during the year.

Employees may be considered for special recognition if:

- The department manager and the respective vice president agree that the employee is performing at an exemplary level, and
- The employee has accomplished something significant that clearly exemplifies the Christian nature, spirit and mission of the college, and/or
- The employee has accomplished something that significantly benefited the college, and/or enriched the lives of co-workers and/or students.

Employees may nominate someone for recognition by contacting their manager. Managers may submit the nomination to the appropriate vice president who will make the presentation.

Awards include dinner for two at one of several fine local restaurants and/or gift certificates to several retail stores and restaurants.

7.3 Employee Referral Awards

Some of the best people to refer potential employees to the college are current faculty and staff who understand Westmont's mission and culture. To encourage referral, the college offers a financial award to any faculty or staff member who refers a candidate for a staff/administration position who is hired by Westmont as a regular (i.e., non-temporary) employee.

All faculty and staff are eligible to participate in the program, with the exception of Human Resources staff members and managers or supervisors hiring for their own department.

Awards will be given for filling posted positions only.

Awards will not be given for referring current or temporary Westmont employees; current interviewees; candidates who responded to published advertisements, were referred through an agency, or were applicants during the previous six months.

If more than one employee refers the same candidate, the employee who referred the candidate first will be eligible for the award.

To refer an individual that meets the requirements of a posted position, simply contact the person being referred and ask him or her to complete the online application for employment. Follow up by completing a referral form and returning it to HR.

CHAPTER EIGHT: EMPLOYEE SERVICES AND PRIVILEGES

Westmont employees are invited to utilize the following services, privileges and extensions of the Westmont community.

8.1 Athletic Events

Employees may gain free admittance to all home athletic events, except play-off games, for themselves and their immediate family members by showing their employee identification card. Schedules for sporting events are available at the athletics office.

8.2 Athletic Facilities

Employees and their immediate family members may use the swimming pool, track, tennis courts (contact the Tennis coaches for the gate code, which will be periodically changed), racquetball courts, Weight and Fitness Center, and gym when those facilities are open and not being used for scheduled events. Lockers are available for employees by contacting the athletic trainer's office. For access to the tennis court code please email celwood@westmont.edu or cpierson@westmont.edu.

8.3 Benevolent Fund

A unique and important part of our community at Westmont is the opportunity to support and minister to each other. This service can take many forms including prayer, encouragement, friendship, and loving admonition. The college wants to help support employees when they experience temporary financial hardships. The college also wants to provide an alternative to direct solicitation of employees by other employees.

The Westmont Benevolent Fund is available to assist any employee experiencing a significant temporary financial hardship. This is a taxable benefit. Employees who know of a need that they believe should be considered should discuss it with their supervisor or contact the Human Resources office, which acts as facilitator to bring such needs before the Executive Team for their review. Anyone may make a tax-deductible contribution to this fund by directing a designated gift to the Office of College Advancement.

8.4 Bookstore

College employees receive a 10 percent discount on all purchases in the bookstore by showing their employee identification cards.

8.5 Campus Dining

Meals may be purchased in the dining commons (D.C.). The most economical way to purchase meals on campus is by pre-paying for “munch money”, or employees may always pay on a per-meal cash basis. Discounted lunches are available to staff and faculty to encourage contact with students. Details are available in the food service office in the D.C.

8.6 Chapel

College chapel services are one of the many ways in which faculty, staff, and students at Westmont can join together as a Christian community. While supervisor approval is required, full-time employees are encouraged to attend chapel once per week (or more often if one's workload permits). Chapels are usually held Mondays, Wednesdays, and Fridays at 10:30 a.m. Attendance at chapel will be considered a morning break for non-exempt employees.

8.7 Child Care Resources

Westmont recognizes that high quality and affordable child care is a serious concern for working parents. In an effort to assist employees in locating qualified child care and to be sensitive to child care issues, the following summarizes Westmont's child care related benefits:

- The college provides free access to local child and elder care referral services from our Employee Assistance Program.
- The dependent care leave policy allows the use of up to one-half the annual available accrual of sick leave to care for an ill or injured dependent.
- A flex-time schedule allows work schedules that accommodate child care needs, subject to supervisory approval.
- The Pre-Tax Health and Dependent Care Expense Plan allows dependent care expenses up to \$5,000 per year to be paid with pre-tax dollars.

8.8 Coastal Housing Partnership Benefits

Coastal Housing Partnership is a non-profit organization that provides financial assistance programs which can significantly reduce the down payment and the closing costs associated with purchasing a home. Another benefit is the Rental Housing Assistance Program which partners with local landlords to offer discounts off of the market rents on rental units for new leases. See the website at www.coastalhousing.org or contact the office of the Vice President for Finance for more information.

8.9 Computer Loan Program

The college offers an interest-free computer loan to full-time regular staff who have been employed at the college for at least one year. The loan is for new computer hardware, peripherals, and software up to a maximum purchase price of \$3,000. The college will reimburse the purchaser 80% of the purchase price up to the dollar maximum and the purchaser repays the college through payroll deduction over the next three years. Upon termination, any remaining computer loan balance will be taken from the employee's final paycheck.

8.10 Estate Planning

The Office of Planned Giving offers information about wills, trusts, and taxes upon request.

8.11 Library and Information Services

College employees may check out books, videos, and other materials from the Voskuyl Library collection. Employees may borrow materials from the library by presenting their employee identification card at the circulation desk.

8.12 Mailing Services

Mailing services are operated for the convenience of students, faculty, and staff. Mailing services sells stamps and mailing supplies, and also offers a wide range of mailing services from the USPS, UPS, and FedEx. More information can be found at https://www.westmont.edu/offices/post_office/.

8.13 Parking on Campus

Parking permits are required for any employee to park a motor vehicle anywhere on campus. Permits are available at no cost from public safety. Employees may park in any parking lot or space unless signs indicate otherwise. Violations may subject employees to fines and/or revocation of their parking permit and disciplinary action.

8.14 Staff Participation in Student Ministries

Many student ministry service projects take place during the spring semester & over summer break each year to serve in another community and experience another culture.

Potter's Clay partners with Rancho Agua Viva Ministries in Ensenada, Mexico to come alongside the local community in long-term relationships with their seminary students, partnering with the students in service in

communities where they are involved in weekly. Ministries throughout Ensenada include Health Team, Build Team, Children's Team, and Mercy Team ministries with ample opportunity for staff involvement in any area. Spring Break in the City experiences are designed to provide students with an opportunity to learn about urban engagement and ministry in the contexts of other major cities, in order to equip students to contextualize what they learn to engage in the cities they live in. These inner-city trips serve each city's most disadvantaged populations in at-risk youth centers, refugee resource care, and homeless shelters.

Emmaus Road advocates and recruits for student teams to partner with full-time missionaries and mission organizations around the world. These summer service projects have resulted in intimately connecting Westmont students with their brothers and sisters in Christ around the globe, challenging students to intersect gifting, passions, and study with living life on mission, and inspiring students to continue to be life-long partners in mission through giving, serving, and advocating for the Good News to be shared in every language and tribe.

Westmont believes these trips can provide invaluable experiences for both students and staff members as they interact, work, serve and learn alongside one another and those from other cultures and circumstances. Employees are encouraged to join students in these ministries under the following guidelines:

- Some staff are asked to participate as one of their job duties.
- A *few* staff members each year may be granted *up to three* extra vacation days to enable them to attend. In order to qualify, each staff member must agree to become a member of the ministry team, take part in all preparation activities, and remain in the ministry location *for at least three days*. Anyone who is interested should obtain approval from his or her supervisors to be away from work, and if desired, request the extra vacation days. Vice Presidents will evaluate employee requests for the extra vacations days. Requests from first time participants will be given preference.
- Employees may also volunteer to participate by taking the time off without pay, or by using their own available paid vacation time. You'll still need to become a member of the ministry team, take part in all preparation activities, and should obtain approval from your supervisors to be away from work.
- For staff members who volunteer to attend these trips over consecutive years, the extra vacation days may not be granted every time.